

# ANNALS OF IOWA.

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Vol. II. No. 2-3. DES MOINES, IOWA, JULY-OCT., 1895. THIRD SERIES.

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## GENERAL JOSEPH M. STREET.

BY WILLIAM B. STREET.

Joseph Montfort Street was born in Lunenburg county, Virginia, December 18, 1782. His father, Anthony Street, was a planter; his mother, Mary Stokes, was the sister of Montfort Stokes, Governor of North Carolina; his grandfather, Captain John Street of Bristol, England, came to Virginia early in the eighteenth century. Anthony was the youngest of four sons; the family history says of him: "He volunteered as a private in the Continental Army and continued in the service of his country until the close of the war; was in the battles of Guilford Court House and King's Mountain, and at the close of the war was a Colonel commanding a regiment." Anthony Street succeeded to the office of Sheriff of Lunenburg county by seniority as magistrate. His family held the office for fifty years uninterruptedly. The family were Episcopalians. In Bishop Mead's "Notes on the Old Families of Virginia," he gives the names of several of the family who were vestrymen of St. Peter's church, Lunenburg.

Joseph was made Deputy Sheriff while in his teens; and the black buckskin knee breeches and long stockings, worn while "riding as Deputy," were long preserved as relics in the family. After this he was in a commercial

house in Richmond, Virginia. Leaving there, he went to Kentucky, read law in the office of Henry Clay, and practiced in the courts of Kentucky and Tennessee.

Later on, in company with John Wood, a Scotchman of some literary reputation, he began the publication of "The Western World," in Frankfort, Kentucky—a weekly paper, independent in politics. The style of the firm was—"J. M. Street & Co." In the paper he charged Aaron Burr with conspiracy against the government. Many persons in Kentucky had been induced to favor Burr's plans, some of them believing his proposed expedition was of a legitimate character, and sanctioned by the government. The paper met with violent opposition, and Burr's friends determined to silence it. Judge Innis sued the publishers for libel. The editors plead justification, and proved that the judge had transmitted sealed documents, received from Burr, to New Orleans. It may be that Innis did not know the character of the papers, for when their treasonable character was shown, he fainted, and was borne out of the court room. Others sought personal satisfaction. Many challenges were sent to which Street paid no attention further than to notice their receipt in the paper, with the remark that they were on file and the writers would be attended to. One of these persons took position in front of a hotel where Street was expected to pass. When he came, the man stepping before him, holding a copy of the paper in his hand, asked if he wrote the article pointed to. Street said, "I am responsible for all that appears in that paper." The man with an oath said, "he would cowhide the man who wrote it," and drew a whip from his sleeve. As he raised his arm Street, with a dextrous stroke of his cane, struck him on the point of his elbow; the whip dropped; the next stroke brought the man to the ground, and, before his friends could interfere, he had been punished so severely that he was confined to his bed for some time. At another time Burr's friends



undertook to drive Street from a ball room, when Colonel Thornton A. Posey of the army came to his assistance. They remained and successfully repelled the assault. Finally, George Adams a young lawyer, was selected to dispose of Street. He placed two strong men in an alley. As Street passed, they seized and held him until Adams advancing, pistol in hand, ordered the men to stand aside. He then shot, turned and ran. The ball struck a button and glanced from its direct course through the heart and broke the lower part of the breast bone. Street drew a dirk and pursued, striking—when in reach—so that Adams' coat was cut in ribbons from the collar to the skirt. Adams ran into a bank and closed the door. Street sat on the steps, too weak from loss of blood to stand. As persons gathered about, Adams came out of the back door and ordered them aside that he might finish him. Humphrey Marshall, who came up at that moment, wrested the pistol from Adams' hand. Street lay for months when each day was expected to be his last. He was so low when Burr's trial came on that he was unable to appear as a witness against him.

The foregoing details are deemed necessary on account of an erroneous statement in Mr. Adams' History of Jefferson's Second Administration (as quoted in *The Nation*, May 8, 1890). He says, "John Woods after thundering so loud in the pretended revelations he made in *The Western World*, was brought to say under oath, that he knew nothing which would amount to evidence." Street too—"the fighting editor of *The Western World*" as Mr. Adams describes him—"was similarly reticent as a witness."

Mr. Street married Eliza Maria, daughter of Major-General Thomas Posey of the Revolutionary Army, and giving up the law, engaged in mercantile pursuits. From Kentucky he went to Shawneetown in the Territory of Illinois, where he was clerk of the court for over sixteen

years. During this time he was postmaster and recorder of deeds. In 1827 he was appointed by President John Quincy Adams Agent for the Winnebagoes at Prairie du Chien. General Street's family have letters from Henry Clay, one dated December 17, 1806, written from Wheeling, Virginia, when on his way to Washington to take a seat in Congress; others dated in 1827, which relate to General Street's appointment. In one dated February 11, 1827, he says:

I received your letter of the 11th ult. communicating your wish to obtain some public employment. I assure you most sincerely that I have all the disposition to serve you which you could desire. With respect to past transactions to which you advert, I look upon them as matters long since gone by, and I have already given you evidence that they have left no unfriendly impression on my mind. [Referring to their relations during the trial of Burr.]

In another letter he conveys the intelligence that General Street has that day been appointed Agent for the Winnebagoes, and expresses the conviction that his appointment will be for the welfare of the Indians and the honor of the government. General Street entered upon the duties of Agent in November, 1827, and removed his family to Prairie du Chien in 1828. He found the people of the village outside of Ft. Crawford, with few exceptions, French and half-breed Indians.

The Winnebagoes were the only tribe whose Agent resided at Prairie Du Chien, although a band of Menominees, Chippewas, and Wabashaw's band of Yankton Sioux, were attached to that Agency. A portion of the Winnebagoes lived at the portage of the Wisconsin and Fox rivers, and had a sub-agent at Ft. Winnebago. The Winnebagoes had a bad reputation; they belonged to the "British band" during the war of 1812; were lazy, cruel and treacherous. Their former Agent, Nicholas Bolvin, an old Frenchman, was quite inefficient, being the tool of the traders. The Indians, spending much of their time in or near the village of Prairie du Chien, were becoming



demoralized by the use of bad whiskey, and bade fair soon to become extinct as a nation.

A short time before General Street went among them, "Red Bird," a chief, and two other Indians, in a drunken spree, went to the house of a man named Gagnier, near the village, and shot him and a man named Lipcap and scalped a little girl, leaving her for dead. She recovered, however, and years after when the writer saw her, there was a bare spot on her head from which the scalp had been cut and torn off. The Indians were tried and condemned to be hung. General Street investigated the case and concluded there were extenuating circumstances that would justify their pardon, and at his solicitation President Adams pardoned them, though Red Bird died while yet a prisoner. Their friends had prepared the grave clothes of white buckskin, with fringes of the same on the arms and down the legs. They presented these suits to General Street.

The Indians were controlled by the traders, whose avowed object it was to keep them as hunters and trappers. Joe Roulette, a Frenchman, agent of the American Fur Company, and H. L. Dousman, also French, his assistant, had been long with the Indians and allowed no one to interfere with their management of them. They met the new Agent cordially and proffered assistance in the performance of his official duty. He met them in like spirit and all went smoothly until the agent fully understood the situation. He had come among the Indians as their friend, to do them good; he would reclaim them from their savage life, and to do this must teach them the arts of civilization, educate and christianize them. The traders soon discovered that they could not use him, and, as he was gaining the confidence of the Indians, they used every means for his removal; but with General Wm. Clark as Superintendent at St. Louis and many friends at Washington, they could effect nothing while Mr. Adams was presi-

dent. When General Jackson was elected in 1828, and took his seat in 1829, they expected his early removal; but their efforts failing, they applied to General Lewis Cass, who, in an interview with the President asked for his removal, stating that he was a Whig. "Yes," said General Jackson, "I know General Street well; we rode upon the circuit in Kentucky and Tennessee together when we were young men. He is a Whig, but an honest man, and I shall keep him in office while I am President." General Jackson re-appointed him twice, and Mr. Van Buren once, in spite of the persistent efforts of the traders and their friends at Washington.

The Indians are often deceived by pretended friends, but are seldom mistaken in a true friend, and when found never desert or betray him. General Street gradually gained control of his own Indians, and the confidence of neighboring tribes. Providential circumstances contributed to fix firmly his influence over the Winnebagoes. One of the principal chiefs, Caramanee—the lame—in a drunken spree killed Green Corn, a young chief of influence. General Street sent for Caramanee, and had him pitch his camp in the Agency yard; he then sent for the family and friends of Green Corn, told them he knew that according to their customs Caramanee's life was forfeited, to be taken by the nearest of kin to the murdered man—if the deed was not covered by a ransom paid by the guilty man or his friends. He did not wish to interfere with their customs, but as they all knew, Caramanee was too poor to pay for the dead, but he as the next friend would pay for him. The Indians named a sum in tobacco and goods, which was paid, and Caramanee was free. General Street sent the interpreter to tell the old chief to wash the black paint from his face and come in. He then showed him the folly of his course, and concluded by saying if he would promise to drink no more whiskey he would be his friend, and would show him how he could save his people by



teaching them the arts of the white man. Caramanee was a good hearted, honest man, and seeing the Agent was his friend, made the promise which he only broke once. This was when General Street brought the whole tribe to Prairie du Chien and they pitched their camp near the Agency to prevent them from assisting Black Hawk and his followers, who were passing through the Winnebago country to escape the army. Some bad white men had induced Caramanee to drink. In his drunken condition he thought he must go to his friend; it was more instinct than reason. He picked up an old shot gun and went to the office of General Street, who was sitting at his desk. Caramanee stalked in, made a violent speech, spoke of his poverty, had no blanket or gun fit for a chief, broke the gun with his foot and threw the pieces out of the door; then stood erect and looked at General Street, who sat calmly in his chair. Their eyes met and the Agent motioned him to sit down; he shook his head, much like an enraged animal. Soon his limbs began to tremble and he sank to the floor, covering his face with his hands, the tears running down his cheeks. The interpreter was sent for. When he came the old chief seemed almost sober, sat, up and listened to a serious talk. The interpreter then took him home, and he was never drunk again.

By honest dealing with the Indians, and constant efforts for their good, together with his fearless course, he gained great influence over them and at the same time incurred the bitter hostility of the traders. He several times in the performance of duty came in conflict with the traders, who were so opposed to schools and farming among the Indians that he had to wait till 1832 before an opportunity offered. In 1829, a Mr. Whitney of Green Bay, with some Stockbridge Indians, went on the Winnebago lands to cut and carry off timber. General Street sent John Marsh with a request to Major Twiggs, commanding Ft. Winnebago, to furnish troops to remove

them, which was done. Whitney commenced suit against Street and Twiggs, and after causing them much annoyance in the courts, the case was dismissed. At Prairie du Chien the traders and settlers had been in the habit of going on the Indian land for timber. The Indians complained, and hearing that Jean Brunet was about twenty-five miles above Prairie du Chien, on the Mississippi, coming down with a quantity of pine logs and lumber, he applied to Major S. W. Kearney, then in command of Ft. Crawford, who sent a force, seized the logs and lumber and had it worked up in building Ft. Crawford. Brunet sued Major Kearney and General Street for trespass and false imprisonment; Henry Baird of Green Bay, Thomas P. Burnet of Prairie du Chien and Mr. Hempstead of Galena (afterwards Governor of Iowa), were attorneys for defence. The plaintiffs denied that defendants had any authority to seize the lumber, said Street did not have any order from the Indian Bureau, nor Major Kearney from the War Department, and that they did not show any law of the United States or Michigan. The defence argued that it was every one's business to know the law, and it was made the duty of these officers to prevent trespass on the Indians. In this case Judge James D. Doty decided that Street and Kearney must pay for the lumber, and issued an order to the Sheriff, in default of immediate payment to arrest the defendants and place them in jail until the same was paid. Eventually Congress passed a bill to relieve Street and Kearney, but the amount appropriated was only sufficient to pay judgment and costs. Street and Kearney had to pay their attorneys \$750. These facts are given to show the difficulties that General Street had to contend with in his endeavors conscientiously to discharge his duty, which was to prevent the Indians from doing anything that would disturb the peaceful relations between them and the whites, and to see that every stipulation on the part of the government was faithfully



carried out; and especially to protect the Indians in their persons and property against the encroachments of the whites, and at all times advise them for their best interests.

As was the custom in those days, General Street kept liquor in his house and set it out to his friends, but he could not do the same by the Indians when they came to to see him. He saw the inconsistency of this course and at once banished it from his home, quit the use of it, and never tasted liquor from that time. He saw that whiskey was the worst enemy the Indians had, and determined by precept and example to discourage the use of it.

The only religious organization at Prairie du Chien was a Roman Catholic Mission, the members of which were French and half-breeds, and there was no effort to teach the Indians. General Street started a prayer meeting in his own house on Sundays, at which he would read a sermon. These meetings were attended by the employees at the Agency and officers from the Fort. Among the latter were Major E. A. Hitchcock, Captain G. Loomis and Lieutenant Ogden.

During the Black Hawk war, 1832, General Street's control of the Indians of his Agency and his influence with all those within reach was clearly demonstrated. He moved the Indians from the Wisconsin river and sent them up the Mississippi; and, when the hostiles had crossed the Wisconsin and were making for the Mississippi, he brought his Indians to Prairie du Chien and camped them at the Agency. Part of Black Hawk's people came down the Wisconsin, intending to cross to the west bank of the Mississippi. General Street directed his Indians to bring them in. After the battle of Bad Ax and the return of the army to Rock Island, the Winnebagoes brought in Black Hawk and the Prophet, with about fifty prisoners, whom he delivered to Colonel Zachary Taylor, commanding Fort Crawford.

Soon after hostilities began, Henry Dodge of Mineral Point, Wisconsin, received permission to raise a volunteer mounted rifle company to act as scouts in the country through which the hostile Indians were expected to pass. William S. Hamilton (son of Alexander Hamilton) came to General Street with an order from General Atkinson, to raise a company of friendly Indians to act under General Dodge in protecting the white settlements. The company was raised, consisting of Winnebagoes, Sioux, and Menominees. The Sioux were from Wabashaw's village on Lake Pepin. General Street bought guns for their outfit on his own personal responsibility. Colonel Hamilton's receipt to him, as follows:

I, W. S. Hamilton, acting under orders from Brigadier-General H. Atkinson, to conduct to the army under his command such Indian forces as General Joseph M. Street, U. S. Indian Agent, shall raise and commit to my charge for that purpose, do certify that General Street assembled, in six days after my arrival at Prairie du Chien, warriors of the Sioux, Menominee, and Winnebago nations, who after an address from him expressed their anxiety to join the army acting against the Sac and Fox Indians, and were turned over to me for that purpose. I further certify that finding the Indians mostly unarmed and opposed to the use of muskets, in consequence of their weight, General Street procured and furnished North West guns and rifles of the kind generally used by the Indians, for arming the forces sent to General Atkinson; the greater part of the arms were delivered to me in boxes to be distributed to the unarmed Indians on the way, at my discretion.

WM. S. HAMILTON.

When Decorie and Chartiar (Winnebagoes), brought Black Hawk and the Prophet to General Street, Chartiar said:

My father I am young and I do not know how to make speeches;  
 \* \* \* \* \* I am no chief; I am no orator, but I have been  
 allowed to speak to you. Father, when you made the speech to the  
 chiefs, Wau-Kon-Decorie, Caramanee, and One-eyed-Decorie, and  
 others, I was there and heard you; I thought what you said to them  
 you also said to me; you said if these two (pointing to Black Hawk and  
 the Prophet) were taken by us and brought to you, there would never  
 more a black cloud hang over your Winnebagoes; your words entered  
 into my ear, my brain and my heart. I left here that same night. I have  
 been a good way, and had much trouble,, but when I remembered your



words, I knew what you said was right; this made me continue, and do what you told me to do. Near the Dalles of the Wisconsin, I took Black Hawk, no one did it but me; I say this in the ears of all present, and I now appeal to the Great Spirit, our grand-father, and the earth, our grand-mother, for the truth of what I say. Father, I am no chief, but what I have done is for the benefit of my nation, and I hope to see the good that has been promised us. That one Wabokeshieh (the prophet) is my relation; if he is to be hurt, I do not wish to see it. Father, soldiers sometimes stick the ends of their guns into the backs of Indian prisoners, when they are going about in the hands of the guards. I hope it will not be done to this man.

General Street replied:

My children you have done well; I told you to bring these men to me and you have done so; it is for your good; I am pleased at what you have done. I assured the great chief of the warriors (General Atkinson), that if these men were in your country, you would find them and bring them to me; and now I can say much for your good. I will go to Rock Island with the prisoners, and I wish you who have brought them, especially, to go with me, with such other chiefs and warriors as you may select. My children, the great chief of the warriors, when he left this place, directed me to deliver these and all other prisoners, to the chief of the warriors at this place, Colonel Zachary Taylor, who is here by me. Some of the Winnebagoes, south of the Wisconsin, have befriended the Sacs, and some of the Indians of my Agency have also given them aid; this displeases the great chief of the warriors, and your great father the President, and was calculated to do much harm. Your great father has sent a great war-chief from the east, General Scott, with a fresh army of soldiers. He is now at Rock Island; your great father has sent him and the Governor of Illinois to hold a council with the Indians; he has sent a speech to you, and wishes the chiefs and warriors of the Winnebagoes to go to Rock Island to the council on the 10th of next month. I wish you to be ready in three days, when I will go with you. I am well pleased that you have taken Black Hawk and the Prophet, and other prisoners; this will enable me to say much for you to the great chief of the warriors and to your great father. My children, I shall now deliver the two men, Black Hawk and the Prophet, to the chief of the warriors here. He will take care of them until we start to Rock Island.

Colonel Taylor upon taking charge of the prisoners made a few remarks to their captors. Soon after this, General Street, in an interview with General Winfield Scott, obtained permission for the Winnebagoes to attend the treaty with the Sacs and Foxes at Rock Island. He knew that if the traders suspected there was to be a treaty for

the session of Winnebago lands, they would be present to prevent it or resist any action for the civilization of the Indians. At his suggestion General Scott stated in his order, that the object in calling the Winnebagoes was that they might join in a treaty of peace as the allies of the whites. He therefore ordered General Street to come to Rock Island with his Indians and bring the prisoners he had taken also, and ordered Colonel Taylor to furnish a military escort. Colonel Taylor placed Lieutenant Jefferson Davis in command of this guard. Black Hawk had been delivered to Colonel Taylor and held for several days in the guard house of the fort till the party should be ready to start. While in custody Black Hawk had been put in irons, and was so delivered to Lieutenant Davis. When General Street went on the boat he walked around the deck taking each Indian by the hand, until he came to Black Hawk. Seeing the irons on his wrists, he turned to Lieutenant Davis and said: "Lieutenant Davis, have these irons removed." Davis suggested that it might not be safe. Then Mr. Street, facing him, said, "Sir, I hold myself personally responsible for this man's safety and good conduct." Lieutenant Davis replied, "If you direct it, General," and turning to his orderly sent for a blacksmith belonging to the boat to file them off. The irons were made from a small half round bar bent around each wrist and riveted. The iron was cutting into the flesh.

General Street knew that Black Hawk was honest in his intentions; he had not sold his land, and the men who signed the treaty, had no right to do so. He did not intend war, but was led into it by the Prophet. Black Hawk was one of the best specimens of the "Red man," the descendant of a long line of chiefs, and General Street's treatment of him while a prisoner was so considerate that Black Hawk ever after entertained the warmest friendship for him.



At Rock Island General Street left the boat, and Lieutenant Davis took Black Hawk and the Prophet to Fortress Monroe. When released he was returned to his tribe under charge of Major Garland.

In his autobiography Black Hawk says after his return from Washington:—

I called on the Agent of the Winnebagoes (General J. M. Street) to whom I had surrendered myself after the battle of Bad Ax, who received me very friendly. I told him that I had left my great medicine bag with his chiefs before I gave myself up; and now, that I was to enjoy my liberty again, I was anxious to get it, that I might hand it down to my nation unsullied. He said it was safe; he had heard his chiefs speak of it, and would get it and send it to me. I hope he will not forget his promise, as the whites generally do, because I have always heard that he was a good man, and a good father, and made no promise that he did not fulfil.

That part of the Winnebago tribe living on the upper Wisconsin and Fox rivers were represented by a delegation in charge of John H. Kinzie, the sub-agent at Ft. Winnebago, and Pierre Pauquette, interpreter, and some of his family, and the traders also accompanied them. When General Street laid before these Indians the draft of the treaty, they were taken by surprise, and made objections; but, when they found the rest of the tribe (largely in the majority) would do as General Street advised and make the treaty, they asked for personal consideration, as their village was on the land offered for sale. They asked that several sections of land be reserved for Pauquette and his family, and certain sums be paid to their traders. Whatever may have been General Street's objections, he would not incur the risk of postponing the sale of the land, so necessary to the growth of Wisconsin; and not only unnecessary but hurtful to that part of the tribe living on it. They were half surrounded by white settlements, renegades from other tribes made their home among them, and their close proximity to the border settlers was a constant menace to the peace which then

existed. Not to mention the great advantage to Wisconsin, the benefit to the Indians was beyond calculation. By the treaty they were given the "Neutral Ground," a rich tract west of the Mississippi, which General Street hoped would be their permanent home—by opening farms on the land, to be given them in severalty, building mills and school houses, which, as he said to them, would place them in more comfortable circumstances than their white neighbors. This was his plan for the use of the proceeds of the sale of their lands, instead of squandering it on half-breeds or giving it to traders who sold them "fire water" and fleeced them—thus rendering their condition as the years rolled by more degraded and hopeless, until finally they would become extinct as a nation. In a letter to the Commissioner of Indian affairs, General Street says, speaking of the fund to be used under this treaty of 1832:

This fund if rightly employed will have a deep and permanent influence upon the happiness, prosperity, and very existence of the Winnebagoes as a nation; these sums may be considered as savings from the vast sums annually engulfed by the traders and whiskey sellers, under the head of "Specie Annuities." At the mention of annuities, which in most of our Indian treaties are specially stipulated to be paid in specie, every heart that feels for the fading remnant of a once numerous race, would do well to pause and consider the cruelty of such a system of abominations directly tending to the destruction and ultimate extermination of the Indians. The present system of acquiring Indian lands is horrible in its results, revolting to every sense of justice and humanity towards poor, ignorant, dependent savages, in the hands of cunning, wily, unprincipled and unfeeling traders; the Indian land is purchased, the hunting ground circumscribed, and thousands are stipulated to be paid annually to the Indians; not in any way calculated to improve their condition, and lead them to provide for themselves by learning to cultivate the soil, but in *specie*. Does no member of Congress in legislating for these defrauding creatures wish to know the reason of this strange demand? It is the trader acting by his whiskey on the unsuspecting mind of the poor ignorant savage. And will such a government as ours, aspiring to the highest character among the governments of the world for liberality and justice to all nations, permit such an abominable system of fraud, involving certain ruin to the Indians, to exist under the sanction of their treaties with the Indians? Forbid it humanity, forbid it justice!

After the treaty of 1832 was completed General Street made out the following account:

THE UNITED STATES INDIAN DEPARTMENT,

1832.

To Jos. M. Street, Dr.

Sep. 22.	For attending with the Winnebagoes of my Agency, a council held at Rock Island with General Scott and Governor Reynolds, from the 3rd to 22d of Sept., 1832; at which a purchase of the whole Winnebago country south of Wisconsin river was made, and the Indians agreed to move west of the Mississippi—two hundred miles from my Agency,	\$250.00
	(Note which was made at a later date).	
	Amount allowed,	\$200.00
	Amount disallowed,	\$50.00

In remarks appended to the above account he says:

I have ventured to ask that this sum be awarded me to cover my expenses, and be some small compensation for my services, from the following considerations, to-wit:

The immediate agency I had in bringing the Indian war to a speedy and satisfactory conclusion by the delivering up to General Scott, the principal hostile chiefs, through my influence and extraordinary exertions; attending the Council at Rock Island at a period of the greatest mortality from the cholera, and in effectually aiding General Scott in effecting the treaty entered into with the Winnebagoes for the cession of a large portion of their country on the east, and removal of many of the Winnebagoes to the west of the Mississippi.—Services which I feel confident General Scott and Governor Reynolds will readily acknowledge. After the treaty no means of conveyance offering, I purchased for cash, a horse and saddle to ride home.

(Signed) Jos. M. STREET,

U. S. Indian Agent.

The cutting off of one-fifth of General Street's claim for extra services shows a short-sighted policy in the Indian Department, when it is known that the Indians repeatedly offered him land and money as a grateful acknowledgement of their obligations to him, and he found it necessary often to explain to them that he was paid by their Great Father and could not take money or land from them. The traders would have paid largely for his favor in overlooking irregularities in their dealings with the Indians. In 1836 Keokuk wanted him to accept a reservation of land; but on his refusal, proposed to place a sum



of money in Mr. Davenport's hands (the trader at Rock Island) for him, saying no one would be the wiser. He looked at Keokuk with a smile and said: "Do you want me to be under Mr. Davenport's thumb?"

After the treaty of September 15, 1832, as the Winnebagoes were returning from Rock Island to Prairie du Chien, their head chief, Carramanee, the lame, died of cholera. This was a great loss to the tribe and to General Street, who expected through him to carry out his plans for the civilization and education of the Winnebagoes. He was the only chief that he had been able entirely to withdraw from the influence of the traders—and in this reformed drunkard he could place implicit confidence.

In connection with the treaty of Feb. 15, 1832, there occurred a circumstance of interest in the history of Wisconsin. For some time General Street had seen that he could not settle and civilize the Winnebagoes in Wisconsin; and, in 1830, when an opportunity offered he suggested to the government the purchase of a strip forty miles wide, extending from the Mississippi to the Des Moines, half from the Sacs and Foxes, and half from the Sioux, to be held as neutral ground, and thus put a stop to the wars between those tribes. In 1832, he got the commissioners to give this land (the neutral ground) to the Winnebagoes for land in Wisconsin, thus opening a large tract for settlement, and removing the Indians from that part of the Territory. This gave quite an impetus to the growth of Wisconsin, by opening the country south and east of that river, and removing the Indians from that part of the Territory. It gave quiet to the frontier, not only by opening new lands but by avoiding any danger of trouble with the Indians.

In the treaty of September 15, 1832, the government agreed to build a school house and open a farm for the Winnebagoes. In 1833, when General Street took the portage band to their new home, he located the farm and commenced the school building, but before it was com-

pleted, the work was stopped by an order from the Indian Department, which caused the delay of a year. In 1834, General Street was transferred to the Sacs and Foxes and the school and farm made little progress for years.

The traders would have had General Street removed from office if it had not been for the steadfast friendship of General Jackson: they only prevented the carrying out of his plans for the civilization of the Indians. There is no doubt that he would have settled the Winnebagoes in permanent homes and started them on the way to civilization had he been sustained by the Indian Department. In a letter to Mr. Carr (Secretary of War) urging the adoption of his plans, he says, (Sept. 12, 1834):

Previous to my arrival at the Prairie du Chien Agency, two years had not passed together since the late war without some white man being killed by these Indians: since my appointment not one instance of killing has occurred.

The difficulties he had to surmount during the years from 1832 to 1834 were calculated to discourage a less resolute and determined man, but in his efforts to protect the Indians and advance their interests he never faltered. After his removal to Rock Island in 1835, there had been a sub-agent (Mr. Boyd) placed at Prairie du Chien, and in 1837 the Winnebagoes sold their land east of the Mississippi. By this treaty which was made to suit the traders, the Indians were to receive the price of the land in annual specie payments. There was also a sum set apart, to be paid to the traders on old debts, and to the half breeds. As this money was to be distributed among the parties entitled to it, the government sent commissioners to Prairie du Chien to designate the amounts to be paid to each person. General Simon Cameron and a Mr. Murray were sent out for that purpose. After the certificate had been issued by the Commissioners, several persons wrote to Major E. A. Hitchcock, Superintendent of Indian Affairs



at St. Louis, and to General Street, charging that fraud had been practiced in making the distribution. General Street wrote to Major Hitchcock on the subject and informed the parties at Prairie du Chien that, if they could sustain the charges, he and Major Hitchcock would get the action of the Commissioners set aside. They succeeded in having this done and a new award was made.

General Street did not wish to be changed from the Winnebago Agency at Prairie du Chien to the Sac and Fox Agency at Rock Island and made a strong appeal, which was endorsed by Colonel Richard M. Johnson, who said:

Congress was under the impression that the Sac and Fox nation could not do without an agent, and established by law the Rock Island Agency. After the adjournment, the Rock Island Agency was transferred to Green Bay, and the Sacs and Foxes attached to the Prairie du Chien Agency. This arrangement is ruinous to the Indians in this country, is calculated to stop all improvement of the Indians, throw them completely into the hands of the traders; will render them more and more miserable and dependent, and will eventuate in another Indian war. No military commanding officer however he may desire the amelioration of the Indian can devote that time to the subject, especially to schools and agriculture among them, that an agent can, and without the constant and faithful personal attention of an agent, it is entirely throwing away money to attempt to school or to teach them farming. There ought to be an agent for the Sacs and Foxes to reside on the Des Moines within their country. They are an important, warlike nation, many of their chiefs well informed, and they require a good agent, who by living among them on the Des Moines, could soon acquire a decided influence over and control them; and in a few years they might be taught to farm entirely. Now they raise a great quantity of corn without help or instruction, but are much posterred by white traders with whiskey, etc. If removed to the interior of their country and given the necessary aid and the personal attention of a capable and faithful agent, they would rapidly improve in their agriculture, gradually withdraw from the roving life of hunters, and with the acquisition of property desire security and peace. The Prairie du Chien Agency is as much as one man can possibly do justice to. The important services rendered by General Street at that agency during the Sac and Fox war, the influence he has shown he possesses over the Winnebagoes and part of the Sioux, and the steps he was taking to educate them and teach them farming, point him out as

the proper person for agent at Prairie du Chien; and his services certainly ought to induce the President to assign to him a residence and to have some regard for his personal feelings and interests. General Street, as he wishes it, ought to be stationed at Prairie du Chien, and the Sacs and Foxes made a distinct agency established on the Des Moines at the place where the Fort is placed, if any is established there, if not, at or near the Indian village on the Des Moines.

Something of the customs of the Indians may be learned from a letter written by General Street to General Wm. Clarke, Superintendent at St. Louis, August 14, 1833. He says:

Sometime past I transmitted to you an account of three Sac prisoners now with the Sioux, two young men and a little girl. The little girl was taken to Rock Island by Wabashaw, the Sioux chief, and delivered to me at that place. The Sioux chief had adopted her into his family to replace a little girl who had recently died, and desired me to ask her of General Scott, which I did, and General Scott made inquiries of the interpreter who informed him that her nearest relatives had been killed during the war. General Scott upon this gave the little girl to Wabashaw, and he took her home and treated her as his child. The two young men were adopted into families, but can return home when they please. Having acted with Colonel Z. Taylor, commanding at Fort Crawford, and obtained from the Sioux all the prisoners except these three, he called on me to make inquiries as to these. I did so; and communicated to him the above facts. Before Colonel Taylor requires these prisoners of the Sioux, I would be greatly gratified to receive instructions on the subject. To wrest the little girl from the Sioux chief after her delivery at Rock Island and the act of General Scott, would have a tendency to impair that confidence the Indians now repose in the officers of our government and possibly cause much discontent. The others might be required to be brought to this place, and when delivered to Colonel Taylor told that they might do as they pleased; give them liberty to go home to the Sacs and Foxes or return to the Sioux, and let them make their selection and act accordingly. Be pleased to answer this as early as convenient, as Colonel Taylor wishes to make the requisition as soon as I can receive your instructions.

Observe how readily any commendable trait in the Indian is recognized and respected and with what care the honor of our government is guarded and their respect for it cultivated.

In 1835, General Street removed his family to Rock



Island, where he resided until the autumn of 1837, when he returned to Prairie du Chien at his own request and at very considerable personal sacrifice, on account of his desire to place the Winnebago school and farm on a permanent footing. The Superintendent, Rev. David Lowry, had complained that they were not prospering on account of the opposition of the traders and lack of proper care on the part of the government in carrying out the stipulations of the treaty of 1832. In 1838 he selected the site for the new Sac and Fox Agency on the Des Moines and let contracts for the necessary buildings. In the spring of 1839, he removed his family to the new Agency, and, as it was so far from Prairie du Chien, he gave up all supervision of the Winnebagoes.

In October, 1837, General Street took a deputation of Sacs and Foxes to Washington, consisting of Keokuk, Appanoose, Poweshiek, Wapello, Black Hawk and Kishke-kosh. There may have been others. On the trip they were at one time on a boat commanded by Captain West (afterwards of Des Moines) and were so well treated by him that General Street recommended other Indian deputations, who were behind, to take Captain West's boat. At one of the transfers a line of coaches stood beside the platform, Black Hawk was in one of them and in the next one back Keokuk, and in front of him Mr. A. Le Claire. The people ask for Black Hawk; Keokuk pointed forward, and, as Le Claire was in front, he was mistaken for Black Hawk, and thus Keokuk's quick wit gave the impression that Black Hawk was a fat man of over 300 pounds weight. In New York no attention was shown the party, and when they walked out to look at the city they were so crowded that General Street led them through a store into an alley and thus back to the hotel. In Boston they were entertained by the Mayor and Governor Everett, and Keokuk was presented with a silver

medal.\* They were taken around the city in open carriages and gave a war dance on Boston Common. The impression left on the minds of the Indians was that Boston was the finest and largest city in the United States. At the treaty made at this time they sold a strip of land west of the Black Hawk purchase (in 1832) twenty-five miles wide at Iowa City and narrower at the north and south terminus. Before the lines were run on the Des Moines river some settlers got over the line, among whom was Mr. Van Caldwell. When the order was issued for the removal of the intruders General Street appointed Mr. Caldwell to keep a ferry over the Des Moines river for the convenience of the government employees in going to the mill built for the Indians on Soap Creek. Mr. Caldwell was probably as well known as any of the early settlers in that region. He was a Virginia gentleman of the old school and a warm personal friend of the most prominent men of Iowa of his day. His son, Henry Clay Caldwell, is now one of the judges of the United States Circuit Court.

Of the early settlers General Street numbered among his friends Captain Jesse B. Brown, Messrs. William and John Graham of Keokuk, (whom he had known before they came to Iowa), General A. C. Dodge, General V. P. Van Antwerp, Messrs. Grimes and Star who were his legal advisers, and J. A. Edwards who was publishing *The Union Patriot* at Jacksonville, Illinois, when he first met him. Mr. Edwards came to Ft. Madison and afterwards settled in Burlington, where he established *The Burlington Hawkeye*.

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\* This medal was found in a ploughed field in one of our southern counties, twenty or more years afterward. The man who found it cut a strip about an inch wide from the lower side of the medal, from which to make a sight for his rifle! He then sold it to one of the early jewelers of Des Moines—in whose possession I saw it—for old silver. It was very smooth, thickest in the center, sloping to a thin edge, and bore this inscription: "The City of Boston, to Keokuk, Chief of the Sacs and Foxes." I believe it also bore the date, "1837." Years afterward I made an effort to trace and secure this medal for the State, but without success.—EDITOR OF THE ANNALS.



Iowa had been more fortunate than any of the States, up to that time, in having no Indian wars and much of the credit of this peaceful condition may be given to General Street. His influence over the Indians from 1827 to 1839 and his intercourse with the white settlers, were constantly used to secure and preserve peace. During those years there were often occurrences that would have led to bloodshed had it not been for his efforts. The Winnebagoes were with the British in the war of 1812 and there was some feeling of hostility among them up to 1827. A part of the Sacs and Foxes were also called "The British Band." He brought both these tribes to a feeling of warm friendship for the people and the government of the United States.

General Street had obtained, by treaty stipulations, the setting aside a portion of the annuity paid to the Sacs and Foxes, to be expended in aid of their advancement in the arts of civilization. During the year 1839 he proposed to the tribe to sell a portion of their land and apply the proceeds to the improvement of a small portion on the Des Moines river, which he advised them to select for their permanent home, to be allotted in severalty. But his failing health prevented the carrying out of these plans. He was taken sick in November, 1839, and lingered until May 5, 1840. When the Indians heard of his death they came to the Agency and requested the family to bury him in their country, saying they would give his widow a section of land to include the grave, and a half section to each of his children. But finding the government opposed to this, the Indians were determined not to sell the land on which the grave was located. That section was reserved for Mrs. Street by the treaty of 1842.

General Street's plan was the allotment of the Indian lands to them in severalty, and as soon as practicable make them citizens of the United States. This is the plan now adopted by the government. He gained great influ-

ence over the Indians with whom he was associated, and his management and control of the intercourse between them and the whites was such as to insure peaceful relations. Previous to his going among the Indians there had been constant trouble in Illinois and Wisconsin, but during his time there was never any trouble with the Indians of his Agency, and the settlers of Wisconsin had no Indian wars. General Street refers to this fact in his letter to the Secretary of War.

One of his many communications to the Indian Department closes with these words: "Teach him agriculture and his family domestic economy, give him by experience right notions of individual property, and the plan of civilizing the Indian commences with the A, B, C, of civilization."

General Street's private and public life show him to have been one of the best of men. He was an affectionate husband and father, a sincere friend and a devoted Christian. All who knew him respected him and his family and friends loved him. Had he been permitted to carry out his plans for the management of the Indians, many of them would now be civilized and settled in Iowa and Minnesota. Within the last few years some of his plans are being adopted. He obtained the first appropriation for farms, mills, and schools, recommending the allotment of lands in severalty, the abolition of tribal relations, and their admission to citizenship.

General Street lingered through the winter of 1839-40 at the Sac and Fox Agency, near the Des Moines river, Iowa, not far from the place where since has been built the city of Ottumwa. Dr. Enos Lowe of Burlington, afterwards one of the founders of Omaha, and Dr. Volney Spaulding of Ft. Madison, attended him, coming a distance of seventy-five miles, there being no physician nearer. As soon as he could be summoned, his brother-in-law, Dr. Posey, of Shawneetown, Ill., came to his assis-

tance, and was in constant attendance until his death. His disease, which was paralysis, was attended with aphasia, and he had much difficulty in expressing himself, but his mind was clear and his faith bright. A short time before the end he called his family together and spoke of his probable death with his customary fearlessness, and charged them to meet him in heaven.

The affairs of his Agency were attended to by his sons, and the Indian Department was apprised of his illness. The course of the Department is another evidence of the stronghold his long and faithful services had given him with the government. The President offered, if his illness should permanently unfit him for the duties of the Agency, to appoint any of his sons or sons-in-law whom he would recommend. And after his death the President did appoint one of his sons-in-law, Major John Beach, to succeed him.

A life-long friend, the Rev. John Cameron, of the Cumberland Presbyterian church, preached his funeral sermon, and he was followed to the grave by the Indians whom he had loved, and for whom he had labored with disinterested zeal, and who had in return given him in full measure respect, love, and trust. Does any one want proof of the true nobility of the Indian character? Let him go to the home of this Agent when he lay in his winding sheet. Keokuk and other chiefs stood around the body of their friend, when after short speeches, in which they eulogized him in such terms as would have done honor to the best on earth, they asked that he might be buried in their country. They wished, as above stated, to give the widow a section of land to include the spot where his body might be laid, and a half a section to each of his twelve children. Keokuk said this promise was in the name of the whole tribe, and if but one Indian was left when the land was sold, that one would see that the promise to the dead was faithfully kept.





OLD GRAVES AT AGENCY CITY, IOWA.

The pillar marks that of Gen. J. M. Street; those in the foreground were members of his family; that of the Indian Chief Wapello is next to the picket fence in the back-ground.



In many ways these Indians gave evidence that he still lived in their memories. One instance is worthy of mention. Wapello, one of the chiefs, and at his own request, was brought by the Indians many miles from his camp to be buried at the side of his "father and friend."

The text of his funeral discourse is a fitting conclusion of a life lived in the fear of God and fearless of man: "Say ye to the righteous that it shall be well with him: for they shall eat the fruit of their doings." Isaiah 3. 10.

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### MAJOR-GENERAL JOHN M. CORSE.

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IN THE CAMPAIGNS OF 1864.—1. IN THE RED RIVER EXPEDITION. 2. IN THE ATLANTA CAMPAIGN. 3. AT ROME, GEORGIA, AND IN THE DEFENSE OF ALLATOONA. 4. IN THE MARCH TO THE SEA, AND THE CAPTURE OF SAVANNAH.

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BY REV. DR. WILLIAM SALTER.

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Upon recovering in a measure from his wounds received at Tunnel Hill on Missionary Ridge, General Corse was assigned to the command for a few weeks of the rendezvous for drafted men at Springfield, Ill., and on the 29th of February was ordered to report to General Sherman. Meantime General Grant, understanding that more brigadier-generals had been appointed than could be confirmed by the Senate, submitted to General Halleck a new list of recommendations, giving names in the order of his preference, taking into consideration services rendered and fitness for the position. He was personally acquaint-



ted with them all. Of fourteen names the fifth on the list was John M. Corse.

Early in March General Sherman had sent a force of ten thousand men under General A. J. Smith to co-operate with General Banks in the Red River expedition. With reference to this and other movements General Sherman entrusted a confidential mission to General Corse, the nature of which appears in extracts from orders and dispatches relating thereto, as follows:

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI.

NASHVILLE, April 3, 1864.

BRIGADIER-GENERAL CORSE, Present:

I select you for special service, and hereby clothe you with power to use my name to carry out certain plans which I herein describe, and on the exhibition of this letter all commanders subject to my orders will be governed.

You will move with all dispatch to Paducah. Explain to Colonel Hicks my satisfaction at his handsome defense of his post, which he may announce to his troops in orders. Deliver to him a copy of the inclosed memorandum, and one to General Veatch, to be sent up (the Tennessee river) to him by some certain conveyance; then touch at Cairo and explain to General Brayman the same. Columbus and Memphis the same, and then proceed down the Mississippi till you meet the fleet of General A. J. Smith. If you don't meet him this side of Red River you may at your discretion ask for a flat gun-boat or go on in the boat you start with, up Red River, till you find General Smith and deliver to him the orders and instructions for him; also send to Admiral Porter, General Banks, and General Steele the communications for them.

After you have had communication with all these, report to General Smith and act under his orders. If to carry out my plans you find it necessary, you may make written orders, signing by order of General Sherman. I place at your disposal here at Nashville a fleet steamboat guarded by one hundred armed and dismounted cavalry, which steamboat you can take with you all the way or transfer to others, discharging this at your discretion.

GENERAL MEMORANDA:

1. The posts of Columbus, Cairo, and Paducah to be held in force, and mere excursions sent out to occupy the attention of Forrest.
2. General Veatch to occupy a point near Purdy and to strike Forrest in flank as he attempts to pass out.
3. General Hurlburt to operate from Memphis with his infantry

and cavalry, guarding the passes of Big Hatchie and communicating with General Veatch.

4. General A. J. Smith to return from Red River, pause at Vicksburg to replenish supplies, and to push up Yazoo to Greenwood and Sidon, march rapidly to Grenada, and operate in Forrest's rear. If Forrest is escaped, broken up or captured, all the troops to resume the statu quo, and General Smith to conduct his force by steady marches across to the Tombigbee, and up to Decatur, Alabama, where General Dodge will move out to meet him. This column to move light as to wagons and artillery, depending for forage, corn, meal and meat, on the country, reckoning for supplies only at Vicksburg and Decatur; General Smith taking with him the two tried generals, Corse and Mower.

5. General Corse may order in my name any subordinate details to carry out these plans and the instructions of the commanding general.

Copies of this to be sent to Generals McPherson, Veatch, Brayman, Hurlburt, and McArthur, and to the commanding officers at Paducah and Columbus, with express orders of secrecy.

W. T. SHERMAN,  
Major-General Commanding,

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SHERMAN TO GENERAL A. J. SMITH, COMMANDING DETACHMENT ARMY OF THE TENNESSEE, UP RED RIVER.

NASHVILLE, April 3, 1864.

General Corse who brings this will explain to you the exact attitude of things and will serve under your orders. You will have in Generals Corse and Mower two of the finest young officers in any army, and I will endeavor to preserve the most absolute secrecy. Should any combinations now unforeseen arise, you may depend on my reaching you with notice; therefore act with the confidence that insures success. I want you and the generals I have named advanced in rank, and you may rely on all the influence I possess.

Call on Admiral Porter or any naval officer you find for co-operation and assistance, and you will find them ever ready.

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SHERMAN TO GENERAL N. P. BANKS, COMMANDING DEPARTMENT OF THE GULF, RED RIVER.

NASHVILLE, April 4, 1864.

The thirty days for which I loaned you the command of General A. J. Smith will expire on the 10th. I send down with this Brigadier-General John M. Corse to carry orders to General Smith, and to give directions to a new movement preliminary to the general campaign.

I beg you will expedite their return to Vicksburg, to co-operate against Forrest, after which to march across to Decatur, Alabama,—a big job, therefore should start at once.

SHERMAN TO BRIGADIER-GENERAL J. A. RAWLINS, CHIEF  
OF GENERAL GRANT'S STAFF, WASHINGTON, D. C.

NASHVILLE, Tennessee, April 4, 1864.

Last night I sent General Corse down the Cumberland with orders and verbal explanations to the commanders. He is to push on to Memphis, and hurry up Red River to General A. J. Smith, and bring him with all dispatch to Vicksburg and up the Yazoo, and rapidly occupy Grenada. With 10,000 men and two such dashing officers as Corse and Mower, A. J. Smith can whip all the cavalry and infantry (if any) in North Mississippi.

General Banks agreed with me that our troops should form a junction at Alexandria on the 17th of March. Mine were there on time, capturing Fort De Russy en route; but Banks did not leave New Orleans till March 22d. This failure in time in conjoint operations is wrong, because it endangers the troops that punctually obey orders. I suppose that Steele is moving on Shreveport with 7,000 and Banks with 17,000. These are enough to co-operate with the gunboats, and therefore I rightfully claim my 10,000 with General A. J. Smith at the time agreed on, April 10th, at which time General Corse should find them at Alexandria and conduct them to their new field of operations.

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SHERMAN TO GENERAL McPHERSON, COMMANDING DE-  
PARTMENT OF THE TENNESSEE, HUNTSVILLE,  
ALABAMA.

NASHVILLE, April 6, 1864.

General Banks pledged me his word that he would leave New Orleans March 7th, and that my troops will not be wanted up the Red River beyond the thirty days after they enter it. That time will expire the 10th, inst., and General Corse will be at the mouth of Red River by that time. He left Cairo with a good boat and two pilots, on the 4th, at 11 A. M.

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CORSE TO SHERMAN.

MEMPHIS, April 6, 1864.

Arrived 11:30 A. M. Saw General Hurlburt. The force of the enemy I think is exaggerated, but underrated by yourself. I leave immediately.

HEADQUARTERS POST AND DEFENSES,  
VICKSBURG, Miss., April 8, 1864.

Arrived about 8 A. M. Will coal and leave at 11 A. M. Will make mouth of Red River at about 7 A. M. Gave General McArthur the memoranda, and informed him of the projected plan. He can give us 500 cavalry and will mount the 100 you gave me for an escort, which I will retain and bring back overland. I directed scouts to be sent out immediately, so as to have all information possible by my return: also a



cavalry force thrown out too see whether two brigades of cavalry that were at Mechanicsburg are still there or not. The tendency is to over-estimate the enemy wherever I go, but I think that if we can find a crossing on the Tombigbee we can whip anything they have got. From information I can gather I am induced to believe our best route is from Grenada to Columbus, thence to Decatur on the ridge between the Tombigbee and Black Warrior. However, we will see.

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## SHERMAN TO CORSE, VICKSBURG.

NASHVILLE, April 9, 1864.

After consultation with General Grant it is determined not to make the march from Grenada. Smith's forces will therefore come up the Mississippi to Cairo, thence up the Tennessee to join McPherson. After Smith is out of Red River you may therefore rejoin me, wherever I may be, via Nashville.

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## SHERMAN TO GENERAL MCPHERSON, HUNTSVILLE, ALA.

NASHVILLE, April 11, 1864.

I want Smith's entire command to come to your right flank for a special reason. I want Mower and his command. He is the boldest soldier we have. He and Corse, with 5,000 men each, would break through any line you encounter. In your operations in the campaign you will need two such officers as Mower and Corse.

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## ADMIRAL D. D. PORTER TO GENERAL SHERMAN.

FLAG SHIP CRICKET, Off Grand Ecore, La., April 14, 1864.

You will no doubt be much disappointed at not having General A. J. Smith's division returned to you in the time expected, but you will be reconciled when I assure you that the safety of this army and my whole fleet depend on his staying here. His is the only part of the army not demoralized, and if he was to leave there would be a disastrous retreat. The army has been shamefully beaten. It is too long a tale to write: General Corse has heard it all and will tell you all about it.

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## CORSE TO GENERAL SHERMAN.

CAIRO, April 21, 1864, 2:30 p. m.

Banks was attacked by Kirby Smith near Mansfield, Louisiana, on the 18th inst., and retreated to Grand Ecore *a la* Bull Run. He refused to let Smith go for obvious reasons, stating however that he had authority from both Generals Grant and Halleck to retain your troops longer. The Admiral's iron-clads are caught by low water, some above the bars at Grand Ecore, the rest above the falls, and he not only refuses to consent to the removal of Smith, but refuses to allow him

a transport to take him out of the river: stating that to take Smith away would occasion the loss of his fleet, the destruction of General Bank's demoralized command; and enable the enemy to crush General Steele. I have communications from General Banks and Admiral Porter, and will be with you as speedily as possible.

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#### GENERAL BANKS TO GENERAL SHERMAN.

GRAND ECORE, April 14, 1864.

Your dispatch of the 3d was delivered to me by General Corse. I have been compelled to say to General Smith that I could not approve your order for the withdrawal of his force at this time.

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#### SHERMAN TO HALLECK, WASHINGTON, D. C.

NASHVILLE, April 23, 1864.

Corse is here, having just come from Grand Ecore. He describes the battle more satisfactorily than I had it before. Banks had 17,000 men, A. J. Smith 10,000; that force well handled should have whipped Kirby Smith. General Corse says that General Banks ordered a retreat from the battlefield back to Grand Ecore, near thirty-five miles, that, too, when the enemy was also retreating. Our wounded, dead and trains were left on the field. That is defeat. I would not ask General Banks to send away Smith's command under these circumstances, but I would ask him to renew the attack. General Corse speaks of all the troops being demoralized except those of A. J. Smith.

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#### 2.—IN THE ATLANTA CAMPAIGN.

[“To be at the head of a strong column of troops in the execution of some task that requires brain, is the highest pleasure of war—a grim one and terrible.”—GENERAL W. T. SHERMAN, *Memoirs*, II, 407.]

On the 27th of April General Sherman took the field at Chattanooga for the Atlanta Campaign. The next day he placed General Corse upon his staff as Inspector General. In this capacity General Corse took part in all the movements from Chattanooga to Atlanta, pushing things in every direction, now reconnoitering in front, now building pontoon bridges, now commanding detachments, now supervising the forwarding of supplies, going

back and forth between different commanders with explanations and instructions, enjoying in every situation the unlimited confidence of his chief. In his official report at the close of the Atlanta Campaign, General Sherman spoke of General Corse and of the other officers upon his staff, as "officers of singular energy and intelligence, and of immense assistance to him in handling the large armies of his command."

The death of General McPherson on the 22nd of July necessitated changes in many commands. General Logan was assigned temporarily to command the Army of the Tennessee, and he at once applied for the services of General Corse with that Army. In granting the request General Sherman said, "I give up General Corse because the good of the service demands that at this crisis you should have good division commanders;" and he issued the following orders:

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HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,  
In the Field, near Atlanta, Ga., July 26, 1864.

SPECIAL FIELD ORDER, NO. 43.

1. Upon the application of Major-General John A. Logan, commanding the Army of the Tennessee in the field, Brigadier-General J. M. Corse, acting inspector general of this army, is hereby relieved and assigned to duty with the Department and Army of the Tennessee, and will report in person to General Logan, that he may be assigned to duty according to his rank with troops.

2. The general commanding in thus relieving General Corse from a purely staff position, to enable him to accept the higher and more appropriate one in connection with troops in actual service, thanks him for his personal and official services rendered during the present campaign near his person.

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The same day at the request of Major-General G. M. Dodge, commanding left wing, Sixteenth Army Corps, General Corse was assigned to the second division of that corps. That division was composed of veterans, and now numbered 3,754 effectives. It had repulsed a terrific as-



sault upon its lines the day McPherson was killed, and retrieved disaster with surprising valor and heroism. It was now under marching orders to move from the left to the right and take a new position in the siege of Atlanta. On the following day, July 27th, General Corse occupied a commanding ridge about two and a half miles west of the city. The same day Major-General O. O. Howard took command of the Army of the Tennessee. The ridge was soon entrenched, and a six-gun battery built upon a prominent knoll, the line having an open field in front, beyond which Atlanta was visible. The next day, July 28th, as the enemy made a furious assault upon the Fifteenth Corps which was then getting in position further on the right, General Corse sent two regiments at a double quick to the relief of that corps. Their services at the critical moment proved invaluable, and were warmly appreciated by General Logan who had resumed command of that corps.

From day to day General Corse's force was occupied in strengthening his works, erecting batteries, in skirmishes, digging rifle-pits, advancing his line, and shelling the enemy's works and the city. On the 4th of August the enemy's first rifle-pits were captured, and after severe fighting, being driven from and recapturing these pits three times, the enemy was driven back and the line taken was entrenched that night and held by a double line of skirmishers. On the 12th the command occupied works thrown up in the night on a ridge overlooking part of the city, the skirmishers being about sixty yards from the enemy. From this line a single ravine separated the ridge from that on which Atlanta was located. About 2 a. m. Welker's battery, Lt. Blodgett commanding, moved in to an elevated point that furnished a fine natural position for a battery. As the fog lifted from the intervening space, the enemy, says General Corse, discovered our line, our battery and working parties, and opened all their



GEN. O. O. HOWARD.





metal on the six 12-pounders. Their shot and shell penetrated the parapet, tore out the revetment, burst in front, over and inside, killing and wounding the gunners, and threatening demolition to the entire battery. But our veteran artillerists stuck close to their guns, and handled them so well that Lt. Blodgett was enabled in one hour to silence both forts in his front. The true effect of artillery was best found in volley firing. While one or two guns fired consecutively at an object for a week may produce no effect, six guns fired together and repeatedly will overcome an obstacle in a short time. The great success of this battery throughout the campaign was owing to its concentrated fire. On the 13th of August, a 4½ inch Rodman was placed in battery where the line connected with the right of the Army of the Cumberland. The position overlooked the whole valley, and the gun opened on the city every fifteen minutes through the day and every five minutes during the night. This piece fired 1,080 rounds before being dismounted. A battery of 20-pounder Parrotts was placed in position with Welker's guns; a furnace was built; and hot shot fired from two of them during the night. The heating process seemed to expand the shot so as to take the rifling more perfectly, and the experiment was a perfect success. General Corse was not sure that the hot shot fired any houses, but large fires were visible in the city every night hot shot was used save one.

The command suffered severely as a besieging party. They were so close to the enemy that extreme danger attended exposure at any point on the skirmish line, and batteries on our right and left flanks destroyed many in the reserve lines. There was no safety or security; cooks, grooms, clerks in their offices, were as subject to being hit by random shell or shot as men in the extreme front.

Pursuant to orders, General Corse withdrew from the siege August 25th at 8 p. m. The movement was made with secrecy and celerity to mislead the enemy. The

Army of the Tennessee moved south to break the rebel lines of communication by the West Point and Macon railroads, and after considerable resistance entrenched in front of Jonesborough, and awaited an assault by the Confederate forces under General Hardee. General Corse says: "The morning of the 31st found us bivouacked on the west bank of Flint River, about two miles from Jonesborough. After throwing up a strong line on the river bank and building two bridges, I was directed by Major-General Howard to send Adams' brigade across the river. Lieutenant Blodgett's battery was placed on the right of the brigade, without any protection. The distance to the river from the battery was about 1,000 yards, which was left open for the enemy to come in. At 1 p. m. General Rice's brigade was thrown across the river in reserve. The line we occupied was on a ridge with a cornfield in front, a ravine intervening. Dense woods along the river furnished excellent cover for infantry; along the farther edge of the cornfield was another strip of timber. At 2 p. m. our skirmishers were pushed in, followed by a line of battle which emerged from the forest and came out obliquely into the cornfield. Adams' brigade with Blodgett's battery sent them back. Rice's brigade was now double-quickened to the right of the battery. Again the enemy charged, advancing through the cornfield squarely with our works, their flags floating in the lazy breeze. The men were ordered not to fire till the enemy came out of the field of corn into the meadow in front of our works. Their appearance was welcomed by a tremendous volley along Adams' brigade, and by double-shotted guns from the battery, followed by the rattling of file-firing along the line. A portion of the rebel line broke and ran for life to the woods; the rest, in front of Rice's command, sought shelter in a gully about deep enough to conceal a man, and were temporarily safe. The 66th Indiana rushed into the gully, killing and driving them out, and bringing about sixty

back as prisoners. Rice's brigade built a parapet, from which it would have been impossible to have driven them, so expert had the men become in practical engineering. Meanwhile the enemy reformed his scattered lines, massed, and moved through the woods, but not sufficiently covered to prevent our canister from raking his flanks, so as to compel him to hurry off, leaving his dead and some of his wounded in our hands."

On the 1st of September the command advanced the line and after a brisk skirmish drove the enemy from a portion of his line. At daylight on the 2d the skirmishers found the rebel lines deserted. On pressing into Jonesborough they were too late to capture a train of cars just leaving, but gave it a few farewell shots. The same night that the Confederate forces under Hardee evacuated Jonesborough, the Confederate forces under Hood evacuated Atlanta, and both places were that day occupied by the Union troops.

After a few movements against the retreating enemy, and tearing up the Macon railroad track, General Corse marched his command back to Jonesborough. In the evening of Sept. 5, a terrific thunder storm overtook them, filling the roads with sink-holes and slush, and flooding the streams so that men must go waist deep to ford them. All night the patient, wet and weary men labored over the roads, now halting and lying in the road until some team was pried out of the mud, now deploying as skirmishers, now moving to the rear to take the place of some other command that had left the rear without orders, or to cover some cavalry brigade. Daylight on the 6th found them dragging their weary way into Jonesborough, and by 7 a. m. they occupied the same works they were in during the battle of August 31st. The next day they marched toward East Point, and went into camp near that place "in good spirits, cheerful, and as strong for mischief as if they had not walked their toilsome miles or fought the most

stubborn struggles of the war." "Words are inadequate," says General Corse's official report, "to convey a fitting eulogium of the brave and gallant officers of this command. Their conduct inspires one with admiration for his species, and their devotion to their country's cause awakens the conviction that with such men the flag of our country will ever be triumphant."

In marching through the enemy's country General Corse gave stringent orders against pillaging. Observing a disregard of this rule by a certain company, he ordered charges preferred against the officers in command of the company, "for conduct prejudicial to good order and military discipline. Pillaging, at all times disgraceful and demoralizing, will not be allowed in this command. While brigade commanders can appropriate properly any article of provision or forage necessary, they are to use every exertion to enforce orders against marauding and lawlessness."

On the 10th of September General Corse issued the following address:

TO THE OFFICERS AND SOLDIERS OF THE SECOND DIVISION  
SIXTEENTH ARMY CORPS.

You have just passed through the most arduous campaign of the war, and by un murmuring endurance of privations and hardships have won the everlasting gratitude of your Government and people. By heroism and gallantry on the field you have earned and now enjoy the reputation of being among the best soldiers the Republic has sent into the field. Your name is historical, and future generations will point with pride to your deeds, and be stimulated to emulate your actions when danger shall menace the institutions for which you have so manfully struggled. It is unnecessary to enumerate the scenes through which you have passed, for they are engraved in the hearts of a grateful people, and the satisfaction of knowing that you have done your duty, and done it well, is sweeter than listening to the catalogue of obstacles overcome and trials endured. You must remember it is equally if not more difficult to sustain a good name than to secure one. Your labors are not finished. Although we have set down for a season of rest, you are not to be idle. You must turn the energies you have hitherto displayed into other channels. Officers must strive to render



themselves proficient in the profession to which they have devoted themselves. Schools of instruction for officers of all grades will be established. Strict attention must be paid to the conduct and military bearing of the men at parades, guard mountings, and roll calls, to the policing of the camp, to the cleanliness of the men and the neatness of their arms and clothing. All must labor to be prompt and vigilant on duty, to be patient to inferiors, and obedient to superiors. The debasing influences of camp vices must be counteracted by the introduction of harmless games; gymnasiums must be established, where exercises will be introduced to add strength to the body, activity to the limbs, and grace to the motion. The men must be made to understand that it is disgraceful to get drunk, to quarrel, or use profane or coarse language; that they are regarded as gentlemen, and should bear themselves as such. Brigade and regimental commanders will institute a judicious system of rewards and punishments, and all must strive to impress upon their commands that their profession is the most dignified and honorable in the world, that the rank and reputation of each man depends upon his own conduct, and that the success of a cause, the most sacred in which man ever embarked, is dependent upon their labors while in camp.

You have a difficult task before you, but you can accomplish it, if you manifest one-half the energy, patience, and perseverance you have displayed throughout the campaign, on the marches, in the trenches, and on the battlefield. Let every man do his duty.

JOHN M. CORSE,  
Brigadier-General Commanding.

### 3.—AT ROME, GEORGIA, AND IN THE DEFENSE OF ALLATOONA.

General Corse's anticipations of a "season of rest" and his plan for a "school of instruction" were not to be realized. The enemy was still alert and defiant. General Hood at once began a series of dashing assaults upon General Sherman's rear to break his communications north and cut off his supplies. General Corse was ordered to move to Rome with his command to garrison that post. As he passed through Atlanta General Sherman gave him verbal instructions to be ready at all times to strike in any direction the enemy might be discovered taking.

Rome is situated at the confluence of the Etowah and

Oostenaula rivers, which run parallel on either side of the city until their waters mingle and form the Coosa. It had been occupied since May by the Union forces. Here was a depot of supplies and ordnance for the Army of the Tennessee, also extensive hospitals for that army, containing during the month of October about 2,000 patients. The buildings occupied a commanding eminence to which was given the name of Cemetery Hill.

General Corse immediately provided for the security of the post. He strengthened the fortifications and drilled the troops for rapid work. Citizens were excluded from the lines. Markets, where they might bring vegetables, fruits and meats for sale to the officers and soldiers, were established near the picket-lines. Spies and scouts were sent out to watch the enemy's movements, and reconnaissances were made with the cavalry. On the first of October Hood sent a force to operate on the railroad north of Marietta. The critical state of affairs and the course of events appear in the following extracts from the correspondence of commanders: \*

#### CORSE TO GENERAL SHERMAN.

ROME, GEORGIA, Oct. 1, 1864, 10 p. m.

I have two or three spies in to-day. They all seemed puzzled as to Hood's movements.

Oct. 2, 1864.

There are one or two regiments of Texas Cavalry in and about Burnt Hickory and Dallas that commit the mischief done our communications. If you will send, permit me to suggest, about 1,000 cavalry to Dallas, via Villa Rica, I will with a less number drive them down, and the two commands can kill or capture the greater portion of them. If this meets your approval please let me know at once. I propose burning Cedartown, Van Wert and Buchanan, for atrocities committed by gangs of thieves having their rendezvous at those places.

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#### SHERMAN TO CORSE, ROME.

IN THE FIELD, ATLANTA, GA., Oct. 3, 1864.

Hood is meditating some plan on a large scale. Wait a little before burning those towns, till we see what he is going to attempt.

## GEN. SHERMAN TO COMMANDING OFFICER, ALLATOONA.

IN THE FIELD, ATLANTA, Oct. 3, 1864.

Hood has some infantry and cavalry about Powder Springs. I am watching him close. He might deceive us and slip up to Acworth and Allatoona. I want the utmost vigilance there. If he goes for Allatoona I want him delayed only long enough for me to reach his rear. His cavalry can only run across the road and bother us, but his infantry would try to capture stores, without which Hood cannot stay where he is. If he moves up toward Allatoona I will surely come in force.

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GENERAL SHERMAN TO GENERAL SLOCUM, 20TH CORPS,  
ATLANTA.

IN THE FIELD, SMYRNA CAMP-GROUND, Oct. 4, 1864.

I have reason to believe Wheeler is on our road above Resaca. Hood's main army is between me and Allatoona. I shall attack the latter in force, but advise you to work night and day in perfecting those entrenchments, and to economise provisions; but if I live, you may count on me coming to your rescue.

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## GEN. VANDEVER TO COMMANDING OFFICER, ALLATOONA.

KENESAW MOUNTAIN, Oct. 4, 6:30 p. m.

General Sherman says: "Hold fort. We are coming."

GENERAL SHERMAN TO GENERAL W. L. ELLIOTT, CHIEF OF  
CAVALRY, MARIETTA AND DALLAS ROAD.

SMYRNA CAMP-GROUND, Oct. 4, 1864, 11 p. m.

Don't risk the safety of your cavalry until I get up with my whole force, but make bold reconnaissance. My chief object is to prevent the enemy making an attack on Allatoona to-morrow.

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Meanwhile a division of the enemy under Major-Gen. Samuel G. French, of Lieutenant-General A. P. Stewart's corps, had struck the railroad on the 3d of October at Big Shanty, nine miles above Marietta, and at Acworth on the 4th, capturing the garrison, destroying the track and the telegraph, and was now under orders to march upon Allatoona, to fill up the deep cut there with logs, brush, rails and dirt, and capture the garrison and the supplies which were stored at the depot, if possible.

At the same time General Sherman was moving his whole force north, except the 20th corps left for the defense of Atlanta. From the hill-top near Vining's Station he signaled to Kenesaw Mountain the message for the commanding officer at Allatoona, reported above, and also a message for General Corse at Rome to hurry to the relief of Allatoona. Though General Sherman's communication to Allatoona was only by signals from mountain tops over the heads of the enemy, yet from Allatoona to Rome communication by railroad and telegraph was not broken.

Immediately on receipt of General Sherman's message, General Corse prepared to move his whole command, but there was only one locomotive at his disposal. With this he made up a train of twenty cars, and at 8:30 p. m. started from Rome with a portion of one brigade, and reached Allatoona, a distance of 35 miles, at 1 a. m. October 5th. Disembarking, and unloading the ammunition, the train started back to bring the balance of the brigade and as many more troops as possible. Heavy rains, however, damaged the track, and an accident delayed the return of the train until more troops were no longer needed.

At once General Corse rode over the ground with the post commandant, Lieutenant-Colonel J. E. Tourtelotte of the 4th Minnesota. The garrison consisted of 890 men from the 4th Minnesota, 93d Illinois, 18th Wisconsin, and 12th Wisconsin battery with six guns. The re-inforcements brought by General Corse consisted of 1,054 men from the 39th Iowa, 7th, 12th, 50th and 57th Illinois.

Allatoona is at the point where the railroad from Chattanooga emerges from the mountains and crosses a high ridge in a deep cut of 65 feet. Fortifications were erected here at the time of General Sherman's advance in June. Each redoubt overlooked the storehouses near the station and each could aid the other defensively by catching in flank the attacking force of the other.





Hd. Quarters, 4<sup>th</sup> Div., 13<sup>th</sup> A. C.

Allatoona Oct 5<sup>th</sup> - 1864  
8 am.

To Officer Commanding  
Confederate Forces.

I have the honor of acknowledging  
right of your communication immediately to the surrender  
of my force to avoid the useless oppression of  
blood & respectfully urge that we are prepared  
for the "useless oppression of blood" whenever it  
is agreeable to you - Very respectfully - Ho. McConen.

Comd., 4<sup>th</sup> Div., 13<sup>th</sup> Corps - U. S. A

At daylight General Corse disposed his troops ready for the enemy, who had been pushing the picket-lines warmly soon after his arrival. The forces were withdrawn from the town to the ridge on either side of the cut. General Corse says in his report of October 7th and 27th to General Sherman:

About 6 a. m. the troops were in the following position: The 7th Illinois and 39th Iowa in line of battle facing west, on a spur that covers the redoubt immediately on the hill over the cut; one battalion of 93d Illinois in reserve, the other in line of skirmishers moving along the ridge in a westerly direction feeling for the enemy, who was endeavoring to push a force around our right flank; the 4th Minnesota, 50th and 12th Illinois were in the works on the hill east of the cut; the balance of the command were on skirmish and outpost duty.

About 7 a. m. the enemy opened artillery fire upon us from Acworth road, to which we responded. Under a brisk cannonade, with sharp skirmishing on our south front and on our west flank the enemy pushed a brigade of infantry around north of us, cut the railroad and telegraph, severing our communication with Cartersville and Rome. At 8:30 a. m. a flag of truce appeared from the north on the Cartersville road, bearing the following summons:

AROUND ALLATOONA, Oct. 5, 1864.

COMMANDING OFFICER U. S. FORCES, ALLATOONA:

Sir: I have placed the forces under my command in such position that you are surrounded, and to avoid a needless effusion of blood I call on you to surrender your forces at once and unconditionally. Five minutes will be allowed you to decide. Should you accede to this, you will be treated in the most honorable manner as prisoners of war.

I have the honor to be very respectfully yours,

S. G. FRENCH,

Major-General Commanding C. S. Forces.

To which I made the following reply:

HEADQUARTERS FOURTH DIVISION, FIFTEENTH ARMY CORPS,

ALLATOONA, GA., Oct. 5, 1864, 8:00 a. m.

TO OFFICER COMMANDING CONFEDERATE FORCES:

Your communication demanding surrender of my command I acknowledge receipt of, and would respectfully reply that we are prepared for the "needless effusion of blood" whenever it is agreeable to you.

Very respectfully,

JOHN M. CORSE,

Commanding 4th Division, 15th Corps, U. S. A.

I then hastened to my different commanders, informing them of the object of the flag and my answer, and the importance and necessity of their preparing for hard fighting. I directed Colonel Rowett to hold the spur on which the 39th Iowa and 7th Illinois were formed, sent Colonel Tourtelotte over to the east hill with orders to hold it to the last, sending to me for reinforcements if needed. Taking two companies of the 93d Illinois down a spur parallel with the railroad and along the brink of the cut, so disposed them as to hold the north side as long as possible. Three companies of the 93d which had been driven in from the west end of the ridge were distributed in the ditch south of the redoubt, with instructions to keep the town well covered by their fire and watch the depot where were stored over a million rations. The remaining battalion, under Major Fisher, lay between the redoubt and Rowett's line, to re-enforce where most needed.

I had hardly issued these orders when the storm broke in all its fury on the 39th Iowa and 7th Illinois. Young's brigade of Texans gained the west end of the ridge and moved with great impetuosity along its crest until they struck Rowett's command, where they received a severe shock, but undaunted they came again and again. Rowett, reinforced by the 93d Illinois and aided by the gallant Redfield, encouraged me to hope that we were all safe here, when I observed a brigade of the enemy under command of General Sears moving from the north, its left extending across the railroad. I rushed to the two companies of the 93d Illinois, which were on the brink of the cut running north from the redoubt and parallel with the railroad, they having been reinforced by the retreating pickets, and urged them to hold on to the spur, but it was of no avail. The enemy's line of battle swept us back like so much chaff and struck the 39th Iowa in flank, threatening to engulf our little band without further ado. Fortunately for us Colonel Tourtelotte's fire caught Sears in the flank, and broke him so badly as to enable me to get a staff officer over the cut, with orders to bring the 50th Illinois over to re-enforce Rowett, who had lost very heavily. However, before the regiment could arrive, Sears and Young both rallied and made their assault in front and on the flank with so much vigor and in such force as to break Rowett's line, and had not the 39th Iowa fought with the desperation it did, I never would have been able to have brought a man back into the redoubt. As it was, their hand-to-hand struggle and stubborn stand broke the enemy to that extent that he must stop to reform before undertaking the assault on the fort. Under cover of the blows they gave the enemy, the 7th and 93d Illinois, and what remained of the 39th Iowa, fell back into the fort. The fighting up to this time (about 11 a. m.) was of a most extraordinary character. Attacked from the north, from the west, and from the south, these three regiments held Young's and a portion of Sears' and Cockrell's brigades at bay for nearly two hours and a half. The gallant Colonel Redfield of the 39th Iowa fell shot in four places, and the extraordinary valor of the men and officers



of this regiment and of the 7th Illinois saved to us Allatoona. So completely disorganized were the enemy that no regular assault could be made on the fort till I had the trenches all filled and the parapets lined with men. The 12th and 50th Illinois arriving from the east hill enabled us to occupy every foot of trench, and keep up a line of fire that would render our little fort impregnable as long as our ammunition lasted.

We received fire from the north, south and west face of the redoubt, completely enfilading our ditches, and rendering it almost impracticable for a man to expose his person above the parapet. The broken pieces of the enemy enabled them to fill every hollow, and take advantage of the rough ground surrounding the fort, filling every hole and trench, seeking shelter behind every stump and log that lay within musket-range of the fort. An effort was made to carry our works by assault, but the battery (12th Wisconsin) was so ably managed and so gallantly fought as to render it impossible for a column to live within 100 yards of the works. Officers labored constantly to stimulate the men to exertion, and most all that were killed or wounded in the fort met their fate while trying to get the men to expose themselves above the parapet, nobly setting the example. The enemy kept up a constant and intense fire, gradually closing around us and rapidly filling our little fort with the dead and dying.

About 1 p. m. I was wounded by a rifle ball\* which rendered me insensible for some thirty or forty minutes, but managed to rally on hearing some person or persons cry, "Cease firing," which conveyed to me the impression that they were trying to surrender the fort. Again I urged my staff, the few officers left unhurt, and the men around me, to renewed exertion, assuring them that Sherman would soon be there with reinforcements. The gallant fellows struggled to keep their heads above the ditch and parapet in the face of the murderous fire the enemy now concentrated upon us. The artillery was silent for want of ammunition, when a brave fellow, whose name I regret to have forgotten, volunteered to cross the cut which was under fire of the enemy, and go to the fort on the east hill and procure ammunition. Having executed his mission successfully he returned in a short time with an arm-load of canister and case shot.

About 2 p. m. the enemy were observed massing a force behind a small house and the ridge on which the house was located, distant northwest from the fort about 150 yards. The dead and wounded were moved aside, so as to enable us to move a piece of artillery to an embrasure commanding the house and ridge. A few shots from the gun threw the enemy's column into great confusion, which being observed by our men, caused them to rush to the parapet and open such a heavy and continuous musketry fire that it was impossible for the enemy to

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\*It grazed the left side of his face and cut the top of his ear. He was upon his horse at the time.

rally.\* From this time until near 4 p. m. we had the advantage of the enemy, and maintained it with such success that they were driven from every position, and finally fled in great confusion, leaving their dead and wounded and our little garrison in possession of the field.

The hill east of the cut was gallantly and successfully defended by Col. Tourtelotte with that portion of the third Division, 15th Army Corps, that fell back from the town early in the morning. Not only did they repulse the assaults made upon them, but rendered me valuable aid in protecting my north front from the repeated attacks by Sears' brigade. Colonel Tourtelotte and his garrison are deserving of the highest praise, and I take special pleasure in recommending that gallant officer for promotion. Though wounded in the early part of the action he remained with the men until the close.

Colonel Rowett, 7th Illinois, commanding 3d Brigade, 4th Division, manifested such zeal, intrepidity and skill as to induce us all to feel that to his personal efforts we owed in an eminent degree the safety of the command. Twice wounded, he clung tenaciously to his post, and fully earned the promotion I so cheerfully recommend may be awarded him.

The gallant dead whose loss conveys grief to so many households have left an imperishable memory, and the names of Redfield, Blodgett and Ayers must prove as immortal as the cause for which they sacrificed their lives. I saw so many individual instances of heroism that I regret I cannot do them justice and render the tribute due each particular one. I can only express in general terms the highest satisfaction and pride I entertain in having been with them and amongst them on that occasion. My loss is 6 officers, 136 men killed; 22 officers, 330 men wounded; 6 officers, 206 men missing; total, 706.

We buried 231 rebel dead, and captured 411 prisoners, 4 stand of colors, and about 800 stand of arms. Amongst the prisoners brought in was Brigadier-General Wm. H. Young.

We looked anxiously all day for the arrival of my troops from Rome or reinforcements from you. With a brigade of fresh troops I

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\*While the defenders of the southwest ridge were too weak to repel another assault, Corse came upon Sergeant Croxton, who had an arm shot away, but was collecting cartridges. The general was siezed with an inspiration and joined the sergeant in gathering ammunition. They broke the cartridges, putting the powder in a blanket, the minie balls in a cup. Collecting enough for his purpose, Corse ordered a sergeant to help him heave a dismounted gun upon a point of the redoubt which commanded the ridge. Dead bodies were in the way; to make room for his gun Corse piled them in heaps. Getting the gun in place, powder and balls were rammed home, the piece pointed, and lanyard in hand the sergeant awaited the order. A little later a solid mass of Confederates formed, and with yells rushed toward the fort. Their impetus would have broken through all opposition and carried them up and into the fort. At that moment Corse gave the order and the gun was fired. The Confederates were mowed down as if they had been grass. They disappeared before the blast. It was the last assault.—An Eye Witness, Boston Herald, May 2, 1895

could have captured French's entire division. We saved all the stores. To my personal staff, Captain M. R. Flint, 1st Alabama Cavalry, and Lieutenant A. P. Vaughn, 52d Illinois Infantry, I tender my heartiest thanks and congratulations for their remarkable bravery and efficient services during the entire engagement; also to Lieutenant W. Ludlow, chief engineer, 20th Army Corps, who, sent to Rome to superintend the works there, arrived as we were leaving and volunteered as an aide for the expedition. He rendered with the other gentlemen mentioned valuable services and manifested a personal courage and zeal deserving high praise.

In coming to Allatoona on the night of October 4th General Corse came from the north. Two hours after his arrival the enemy under General French approached Allatoona from the south. General French was a graduate from the U. S. Military Academy in 1843, had distinguished himself at Monterey and Buena Vista in the Mexican war, and at the outbreak of the rebellion was living on a cotton plantation in Mississippi. His troops consisted of the 4th, 35th, 36th, 39th, 46th, and a battalion of 7th Mississippi Infantry under Brigadier-General Claudius W. Sears; the 1st, 2d, 3d, 4th, 5th, 6th Missouri Infantry, and 1st and 3d Missouri Cavalry, under General Francis M. Cockrell, and Ector's brigade of 9th, 10th Texas Infantry, 14th, 32d Texas Cavalry dismounted, 29th and 30th North Carolina Infantry, under General Young. According to the returns of "Hood's Army," Sept. 20, 1864, the division numbered 2,962 effectives.

In his report of Oct. 8 and Nov. 5, 1864, General French gives the following particulars of the movements of his troops:

I left Big Shanty about 3:30 p. m. (Oct. 4) and marched to Acworth, a distance of six miles, arriving before sunset. There I was detained awaiting the arrival of rations. Captain Taylor, of Pinson's cavalry, was directed to send fifteen men under a trusty officer to strike the railroad near the Etowah bridge, and take up rails and hide them, so as to prevent trains from reaching Allatoona with reinforcements, as well as prevent any trains that might be there from escaping. From an eminence near Acworth the enemy could be seen communicating messages by night signals from Allatoona with the station on Kenesaw.

As I knew nothing of the road it was important to procure a guide, and at last a boy was found who knew the roads and had seen the position of the fortifications at Allatoona. About 11 p. m. the march was resumed. The night was dark, the roads bad. After crossing Allatoona Creek the 4th Mississippi was left near the block-house with instructions to capture the garrison and destroy the bridge over the creek. Continuing the march the division arrived near the cut before Allatoona about 3 a. m. Nothing could be seen but one or two twinkling lights on the opposite heights, and nothing was heard except the occasional interchange of shots between our advanced guards and the pickets of the garrison in the valley. All was darkness. I had no knowledge of the place, and it was important to attack at the break of day.

Taking the guide and lights I placed the artillery in position on the hills, with the 39th North Carolina and 32d Texas as a supporting force, and proceeded to gain the heights or ridge crowned by the works. Without roads or paths the head of the line reached the railroad, crossed it, and began ascending and descending the high, steep, and densely-timbered spurs of the mountains, and after about an hour's march it was found we were not on the main ridge. The guide made a second effort to gain the ridge and failed, so dark was it in the woods. I therefore determined to rest where we were, and await daylight. With dawn the march was resumed, and finally by 7:30 o'clock the head of the column was on the ridge and about 600 yards west of the fortifications, and between those occupied and an abandoned redoubt on our left. Here the fortifications for the first time were seen, and instead of two redoubts there were disclosed three redoubts on the west of the railroad cut, and a star fort on the east, with outer works, and the approaches defended to a great distance by abatis and nearer the works by stockades and other obstructions.

Dispositions for the assault were now made by sending General Sears' brigade to the north side of the works, General Cockrell's brigade to rest with center on ridge, while General Young with the four Texas regiments was formed in rear of General Cockrell. So rugged and abrupt were the hills that the troops could not be got into position until about 9 a. m. when I sent in a summons to surrender. No reply being sent me, the order for the assault was given by directing the advance of Cockrell's brigade. Emerging from the woods and passing over a long distance of abatis formed of felled timber, and under a severe fire of musketry and artillery, nobly did it press forward, followed by the gallant Texans. The enemy's outer line and one redoubt soon fell. Resting to gather strength and survey the work before them, again they rushed forward in column; in murderous hand-to-hand conflict, that left the ditches filled with the dead, they became masters of the second redoubt. The third and main redoubt, now filled by those driven from the captured works on the west side of the railroad, was further crowded by those driven out of the fort on the east side by the



attack made by General Sears. They had to cross the deep cut through which our artillery poured a steady and deadly fire. At 12:30 p. m. General Sears sent word to Major-General French as follows: "Our men are fighting bravely. Will get up a grand charge as soon as the men rest a little. We will take this work, if possible. Men are greatly fatigued. We are in enemy's works, but have not the fort yet. The yells of your men do us great good."

The Federal forces were now confined to one redoubt, and we occupied the ditch, and almost silenced their fire, and were preparing for the final attack.

Pending the process of these events I received a note from General Frank C. Armstrong informing me that the enemy had moved up above Kenesaw and encamped there last night. Here, then, was General Sherman's army close behind me, which changed the whole condition of affairs. Ammunition had to be carried from the wagons, a mile distant, at the base of the hills, and it would take two hours to get it up and distribute it before the final assault. My men had marched all day on the 3d, worked all night of the 3d destroying the railroad, had worked and marched all day on the 4th, marched to Allatoona on the night of the 4th, had fought up to the afternoon of the 5th; and could they pass the third day and night without rest or sleep, if we remained to assault the remaining work? I did not doubt that the enemy would endeavor to get in my rear to intercept my return. Under these circumstances, after deliberately surveying matters, I determined to withdraw my forces. Before withdrawing I ordered that the stores be burned at the depot. Parties were sent, but all efforts failed. The enemy's fire, concentrated to protect their stores, was heavy and incessant all the time.

History will record the battle of Allatoona as one of the most sanguinary conflicts of the war; and, when it is remembered that the enemy fought within their strong redoubts, a meed of praise is due to the heroic valor of our troops for their desperate deeds of daring in overcoming so many of the foe. I cannot do justice to their gallantry. No one faltered, and all withdrew from the place with the regret that General Sherman's movements, closing up behind us, forbid our remaining to force a surrender of the last work. The cavalry sent to cut the railroad near the Etowah bridge failed to accomplish it.

After leaving out the three regiments which formed no part of the assaulting force, I had a little over 2,000 men. My entire loss in killed, wounded, and missing was 799 (another "list" makes the number 872).—Vol. 39, Part 1, pp. 813-820.

Lieutenant John Q. Adams, who was in command of the detachment of the Signal Corps operating at the time at Allatoona, says:

A message was received by me during the day, Oct. 4, that the

enemy were marching in force upon Allatoona, also dispatches ordering the movements of troops to this place, and to hold out to the last. On the 5th, as soon as I could see Kenesaw, the atmosphere being smoky and hazy, I sent them a message stating the arrival of reinforcements. "We hold out. General Corse here." This was after I had moved over to the fort with my flag, about 10 a. m. The message was of some length and was flagged under a sharp fire with remarkable coolness and accuracy by J. W. McKenzie and Frank A. West.

The fight lasted about eight hours from the time it became general. With telescope I discovered the enemy withdrawing their artillery, and the musketry had in a measure subsided. I sent a message to General Sherman that we were all right, and General Corse was wounded. While sending this the fire was not so severe as when I sent the former one, but sharp shooters were still firing on us, and it was far from being safe. This message was flagged from the top of the fort.

When I moved to the fort I took three men with me to flag; the balance (nine men) I instructed to see to their revolvers and get into the rifle-pits; also, if they saw a man wounded not to let his musket remain idle. After the fight I found that each of the men had muskets, and had fired each from 30 to 90 rounds of cartridges from the rifle-pits.

In a communication to the Secretary of War, Oct. 27, 1864, General Sherman said:

In several instances the Signal Corps has transmitted orders, and brought me information of the greatest importance that could not have reached me in any other way. I will instance one most remarkable case. When the enemy had cut our wires and made a lodgment on our railroad about Big Shanty, the signal officers on Vining's Hill, Kenesaw and Allatoona, sent my orders to General Corse, at Rome, whereby he was enabled to reach Allatoona just in time to defend it. Had it not been for this corps on that occasion, we should have lost the garrison at Allatoona and a most valuable depository of provisions there, which was worth to us and the country more than the aggregate expense of the whole Signal Corps for one year.

General Sherman reached Kenesaw Mountain about 10 a. m. of the 5th. From the signal station he saw the fires of the burning railroad and the smoke of battle, and could hear faint reverberations of the cannon. During the morning the signal officers had failed of an answer to his call for Allatoona, but while Sherman was standing by, at 10:35 a. m., a glimpse was caught of the "tell-tale flag," through an embrasure at Allatoona, with the message: "We hold out," and the letters "C. R. S. E. H. E. R." It was Sherman's first assurance that Corse

had received his orders, and was himself upon the ground. With painful suspense he watched the indications of the battle, and was dreadfully impatient at the slow progress of the relieving column. At 1:35 p. m. he noted "heavy firing, indicating an assault and repulse; occasional shots, but too smoky to see signals. About 2 p. m. the smoke of battle grew less, and ceased about 4 p. m."

In his report General Sherman says that the defense of Allatoona was "admirably conducted, and General Corse's description of it so graphic that it left nothing for him to add." Recalling these scenes in after years, General Hood wrote: "General Corse won my admiration by his gallant resistance, and not without reason the Federal commander complimented this officer through a general order for his handsome conduct in the defense of Allatoona."--*Advance and Retreat, New Orleans, 1880. (Battles and Leaders in the Civil War, iv. 425.)*

The following signal dispatches, additional to those referred to, passed between Allatoona and Kenesaw Mountain:

ALLATOONA, Oct. 5.

Where is General Sherman?

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KENESAW MOUNTAIN, Oct. 5.

Near you. Tell Allatoona, hold on. General Sherman says he is working hard for you.

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KENESAW MOUNTAIN, Oct. 6.

How is Corse? What news?

DAYTON, Aide-de-Camp.

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ALLATOONA, Oct. 6, 2. p. m.

CAPTAIN L. M. DAYTON, Aide-de-Camp:

I am short a cheek bone and one ear, but am able to whip all hell yet. My losses are very heavy. A force moving from Stilesborough on Kingston gives me some anxiety. Tell me where Sherman is.

JOHN M. CORSE,  
Brigadier-General.

KENESAW MOUNTAIN, Oct. 6, 3 p. m.

GENERAL CORSE:

Am reconnoitering toward Burnt Hickory and Lost Mountain. Are you badly wounded? If all is right at Allatoona I want you back at Rome.

SHERMAN.

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IN THE FIELD, KENESAW, Oct. 6.

GENERAL CORSE, Allatoona:

Am just in. Am very sorry at your wound, but all is right with you. If possible, keep the enemy off your lines, and let me know at once what force you have, and what is at Kingston and Rome; also signal some account of your fight. Hood has retreated to Dallas.

W. T. SHERMAN.

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KENESAW, Oct. 6, 9:30 p. m.

GENERAL CORSE, Allatoona:

Let the Rome force return at once to Rome and protect the road. I will cover Allatoona.

W. T. SHERMAN.

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On the 6th the troops at Allatoona were occupied in strengthening their position, and gathering the rebel dead and wounded, and the arms that were strewn over the field. On the 7th General Corse moved his command to Cartersville, and on the 8th to Kingston and Rome.

KENESAW MOUNTAIN, Oct. 7, 12:15 a. m.

CORSE:

I send brigade up to you in the morning.

SHERMAN.

By this brigade General Sherman forwarded the following letter:

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI.

IN THE FIELD, KENESAW, Oct. 6, 1864.

GENERAL CORSE, Commanding, Allatoona.

DEAR GENERAL: This evening I got a signal from you giving me the first real intelligence of the safety of Allatoona and of your command. At some future time I will add my appreciation of your services, but now I want to prevent any more mischief to our roads. Allatoona is now safe on this front. Leave enough to cover the bridge to the rear as against a cavalry dash, and send all you can spare back to Rome to assure the safety of that place. I doubt if any force of Hood will cross.



the Etowah, but still it may. I will to-morrow continue to demonstrate against him and make him keep his people together. Unless your wound is too severe, exercise a general command, for your head is worth more than a dozen of any I have to spare. I have sent these orders by signal, but fear they may reach you mutilated. If possible get a message up to Chattanooga for them to work this way whilst we work the road back. We have abundance of food, but little forage.

Yours truly,

W. T. SHERMAN.

Major-General Commanding.

The following is a continuation of signal dispatches:

ALLATOONA, Oct. 7, 1864, 8:40 a. m.

GENERAL SHERMAN:

I have just sent my wounded to Rome. Shall I move my command back to Rome when your brigade arrives?

CORSE.

KENESAW MOUNTAIN, Oct. 7, 9 a. m.

CORSE:

Yes, move to Rome when the brigade arrives.

SHERMAN.

ALLATOONA, Oct. 7, 11 a. m.

GENERAL SHERMAN:

The brigade from 23d corps is here. How long shall it remain?

CORSE.

KENESAW MOUNTAIN, Oct. 7, 11:30 a.m.

GENERAL CORSE:

Brigade will stay until further orders.

SHERMAN.

KENESAW MOUNTAIN, Oct. 7.

ALLATOONA:

Send back courier with full account of all matters of interest and as to road above.

SHERMAN.

ALLATOONA, Oct. 8.

GENERAL SHERMAN:

I sent a staff officer to you this morning with intelligence.

CORSE.

KENESAW MOUNTAIN, Oct. 7, 5 p. m.

CORSE:

Lieutenant Ludlow is here, all O. K.

EWING.

In the informal report sent on the 7th. General Corse said that the bearer "will give you the minute details of the affair. The pain occasioned by the severe wound on my head prevents me from doing so." General Sherman replied:

IN THE FIELD, KENESAW, Oct. 7, 1864.

GENERAL CORSE, Allatoona:

I received your report. I have so high an appreciation of your services and those of your command, as also that of Colonel Tourtelotte and Garrison, that I shall make the defense of Allatoona the subject of a general order. I will move my army one step north to-morrow, and want you to exercise a general care over the operations from Allatoona as far as Kingston. I will so place my command that in one day's work they will replace all the iron burnt between Allatoona and Kenesaw, and leave the laying of the ties to the construction party. We have 2,700,000 rations in Atlanta and can afford to await repairs. I will be much obliged to you if you can manage to send to Generals Thomas and Webster notice that Atlanta is safe in our possession, so that General Slocum can hold it against Hood's whole army.

I almost share the pain of your wound with you, but you know for quick work I cannot get along without you, and ask you, spite of pain, to keep your head clear and leave others to do your bidding. Your presence alone saved to us Allatoona the day before yesterday, but this does not detract from the merit of others. Rome is of no value at all, save as a flank. Destroy its bridges and factories on the slightest provocation, and cover the vital points of our road.

## SPECIAL FIELD ORDER.

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,

IN THE FIELD, KENESAW MOUNTAIN, Oct. 7, 1864.

The general commanding avails himself of the opportunity, in the handsome defense made of Allatoona, to illustrate the most important principle in war, that fortified posts should be defended to the last, regardless of the relative numbers of the party attacking and attacked.

Allatoona was garrisoned by three regiments commanded by Colonel Tourtelotte, and reinforced by a detachment from a division at Rome under command of Brigadier-General J. M. Corse on the morning of the 5th, and a few hours after was attacked by French's division of Stewart's corps, two other divisions being near at hand and in

support. General French demanded a surrender to "avoid a useless effusion of blood," and gave but five minutes for an answer. General Corse's answer was emphatic and strong: that he and his command were ready for the "useless effusion of blood" as soon as it was agreeable to General French. This answer was followed by an attack which was prolonged for five hours, resulting in the complete repulse of the enemy, who left his dead on the ground, amounting to more than 200, and 400 prisoners well and wounded. The "effusion of blood" was not "useless," as the position was and is very important to our present and future operations.

The thanks of this army are due, and hereby accorded to General Corse, Colonel Tourtelotte, officers and men, for their determined and gallant defense of Allatoona, and it is made an example to illustrate the importance of preparing in time, and meeting the danger when present, boldly, manfully, and well. This army, though unseen to the garrison, was co-operating by moving toward the road by which the enemy could alone escape, but unfortunately was delayed by the rain and mud; but this fact hastened the retreat of the enemy. Commanders and garrisons of the posts along our railroad are hereby instructed that they must hold their posts to the last minute, sure that the time gained is valuable and necessary to their commands at the front.

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#### CORSE TO GENERAL SHERMAN.

HEADQUARTERS 4TH DIVISION, 15TH A. C.,

IN THE FIELD, Oct. 7, 1864.

The railroad to Chattanooga is all right except the bridges across the Oostenaula and Etowah, the latter having become shaky since 12 m. to-day from an unusual rise and consequent drift against its bents. The bridge across the Oostenaula ought to be done to-day, and that over the Etowah I had a construction party sent to, and will push it in hopes of finishing before daylight. I will go in an ambulance with my command to Cartersville, ready to strike toward Rome, Kingston or the Etowah bridge, as the case may be. My train of wounded is cut off on this side of the Etowah, and I will leave it here to-night. We hear nothing of the enemy.

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CARTERSVILLE, Oct. 8, 1864, 12 m.

Finding that the brigade from the 23d corps was to remain at Allatoona, I at once moved my command to this place, being *en route* for Rome. The wounded, about 300, I had loaded on cars at Allatoona and pushed up toward Kingston, but found the drift had so damaged the bridge across the Etowah as to preclude their crossing until the necessary repairs could be made. The constructing force was sent for yesterday, but has not yet arrived; it will be impossible therefore to

get my wounded to Rome to-day. I have carried across the river seven car loads of wounded, and will send them to Rome, hoping to get them there and a train back in time to take the rest before morning. I am a little anxious for two reasons: first, they suffered from exposure last night and need care; second, I want the cars emptied, to move troops rapidly in case of any emergency. The rebel wounded, about 250, I left at Allatoona. The sound prisoners I have sent to Kingston with the division. I will go to Kingston this afternoon, via railroad. There is a great deficiency in the railroad construction department between Resaca and Allatoona, which occasions all the delays. Tackle and instruments we can't find here are necessary to repair the bridges. I will stay at Kingston to-night with my force, and if nothing further is developed by to-morrow noon will move thence to Rome ready for further movements. I would suggest the propriety of sending a force to guard those 8,000 cattle down near the army. I understand you ordered them to Allatoona. They cannot be protected at Allatoona if that place is again attacked as it was on the 5th. You probably forget that the Army of the Tennessee has 1,400 sick men at Rome, and it cannot be burned or abandoned very easily. As they have ample accommodation for more, I was induced to send my wounded there, which will increase the number of helpless, to about 1,700 or 1,800.

While I would protect them as long as possible, I could not afford to sacrifice my command or your communications for their sake, and in the extreme event would leave supplies and surgeons sufficient to care for them and abandon the place. You must not think that the responsibility of their care will deter me from moving to more important points even without your orders. I, however, respectfully ask you to let me know by bearer your views as regards their protection, and duty towards them. I will be ready to strike wherever you want me at the instant, and will, I assure you, not hesitate to smash any column I find trying to cross the Etowah. I have more or less pain in my head, but with intermittent rests manage to get along very well.

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CORSE TO MAJOR-GENERAL THOMAS, NASHVILLE.

CARTERSVILLE, Oct. 8, 1864.

General Sherman desires I send you word that he is all right at Kenesaw, and repairing road north. He earnestly urges the importance of pushing work on road toward him. His ration question, he says, is all right; the forage question, he desires to have you know, can be improved with your assistance. Hood's efforts are so far a failure.

Brigadier-General T. E. G. Ransom, commanding the 17th Army Corps, congratulated General Corse as follows:





General  
Field Orders  
No. 18.

Headquarters Department and  
Army of the Tennessee,  
Near Tennessee Mountain  
October 9<sup>th</sup> 1864.

Whilst uniting in the high commendation awarded  
by the General-in-chief, the Army of the Tennessee  
would tender through me its most hearty appre-  
ciation and thanks to Brig. Gen. J. M. Corse  
for his promptitude, energy, and eminent success  
in the defense of Allatoona-Pass against a  
force so largely superior to his own, and our  
warmest congratulations are extended to him, to  
Colonel Tourtellotte, and the rest of our comrades-  
in-arms who fought at Allatoona, for the  
glorious manner in which they retarded  
the useless effusion of blood.

O. O. Howard  
Major-General.

Fac simile of Gen. O. O. Howard's congratulatory order on Gen. Corse's  
gallant defense of Allatoona. See page 135.

We all feel grateful to God for your brilliant victory, and are proud of our old comrade and his noble division. You have the congratulations and sympathy of the 17th Army Corps.

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General Ransom died only three weeks after sending these congratulations. He was an officer of the highest order of merit, as also a man of pure and elevated character. Hoping the attack of disease which caused his death was but temporary, he did not cease day or night to exert himself to the utmost in his country's service."—O. O. Howard.

Major-General Howard, commanding the Army of the Tennessee, issued the following

#### GENERAL ORDER.

NEAR KENESAW MOUNTAIN, Oct. 9, 1864.

Whilst uniting in the high commendation awarded by the general-in-chief, the Army of the Tennessee would tender through me its most hearty appreciation and thanks to Brigadier-General J. M. Corse for his promptitude, energy and eminent success in the defense of Allatoona Pass against a force so largely superior to his own, and our warmest congratulations are extended to him, to Colonel Tourtelotte, and the rest of our comrades-in-arms who fought at Allatoona, for the glorious manner in which they vetoed "the useless effusion of blood."

O. O. HOWARD;  
Major-General.

Reaching Rome about 9 p. m. of Oct. 8th, General Corse found the bridges at that place swept away in the recent freshet, and that the force left there had withdrawn into the garrison, supposing Hood to be approaching. He at once directed a small outpost to be thrown across the Etowah that night in boats to Cemetery Hill, which was the key to the situation, and ordered the chief of the pioneer corps to build a pontoon bridge at that point. So prompt and energetic were the pioneer corps that trees standing in the streets of Rome at midnight of the 8th furnished balk and chess for the bridge over which infantry, cavalry, and artillery, that arrived just as the bridge was finished, marched at noon of the 9th.

## CORSE TO GENERAL SHERMAN.

ROME, Ga., Oct. 9, 1864.

I have just finished a new pontoon bridge over the Etowah, and have sent a cavalry force to reconnoiter toward Cedartown. I have my flanks and front well patrolled, and can give you more information to-morrow.—7:30 p. m.—The only indication of an enemy since my arrival here being the appearance of a cavalry force at Reynold's Ford. I am ready to fly there in case they should attempt a crossing. I promise to keep you advised of anything transpiring west of Kingston.

The 10th of October was a day of conflicting rumors. At one time it was reported that Hood's entire army was moving on Rome, and General Sherman directed General Corse to get his men into the strongest forts and "hold Rome to the death." Every ax, shovel and pick, was brought into requisition. Men worked all night on the defenses. General Sherman telegraphed: "Fight your men well behind parapets, and risk as few lives as possible. In case Hood attacks, I want you to burn down every house in Rome that interferes with your range of fire." Reporting later the same day what he learned of the enemy's movements, General Corse said: "Their destination is Huntsville, &c. They are to attack Rome at daylight, squelch me, and get the stores, then continue the journey. I have had men and women through their camps to-day; they have various reports. The object of the trip is recruits from Tennessee. They number 10,000 cavalry and 30,000 infantry. I will hold them as long as men can stand and guns will shoot. They have pushed their forces against my pickets to-night and are quite close. I will look to you for help, and keep you advised." Later the same day General Sherman telegraphed: "Hood would have attacked you before this if he intended to, for he must know I am near you. Watch his movements close; I think he will only throw a force toward Rome to cover his movements over toward the Tennessee or back to Georgia." The next day, Oct. 11th, Hood's army had disappeared, but in what direction was in doubt.



## GENERAL SHERMAN TO CORSE.

IN THE FIELD, KINGSTON, Oct. 11, 1864, 2:20 p. m.

I think you had better lay down now and take a good long sleep. Give some staff officer general instructions as to scouts, and let him communicate to me direct. You have done all a man could, and my judgment of you has been fully vindicated.

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## CORSE TO GENERAL SHERMAN.

ROME, GA., Oct. 11, 1864, 4 p. m.

I am profoundly grateful for your sympathy and proud of your confidence: would willingly obey your order, but sleep is out of the question. Nature will assert rights at the proper time. I have no doubt. A squadron of cavalry I sent out this morning attacked the picket on Cave Spring road, about seven miles from here; drove them in until they ran into a line of battle. I just examined a prisoner they brought in from the Second Mississippi Cavalry. He says the men were told that they were *en route* for Tennessee and Kentucky. He knows that the main body of Hood's army is across the Coosa. (They had crossed at a point about eleven miles below Rome.)

## GENERAL SHERMAN TO CORSE.

IN THE FIELD, KINGSTON, Oct. 11, 4:45 p. m.

I have just received your telegram. I order you to rest. Don't get your mind so nervous as to fail sleep. General Elliott will be at Rome to direct the cavalry, and that will relieve your mind. A good long sleep, plenty of fresh water to your wound, and you will be worth twice as much to-morrow. I appreciate the intensity of your zeal, and will never forget it.

## CORSE TO GENERAL SHERMAN.

ROME, GA., Oct. 11, 1864, 11:40 p. m.

A scout has just arrived who was 14 miles out on Summerville road. He reports Martin's division as camping last night at Farmer's Bridge, over the Armuchee River; could hear of no other troops, but the citizens say Hardee crossed the Coosa at Coosaville, and that the movement on this place was merely a feint to cover the other movements.

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On the 12th of October General Sherman arrived at Rome, and his army encamped within three miles. The next day General Corse moved with his division in fighting trim across the Etowah to develop the character and

strength of the enemy. In his absence the convalescents from the hospitals marched under arms through the streets of Rome, in order to give the citizens the impression that the force holding the post was not materially weakened. Learning that Hood had gone north with great rapidity, General Sherman ordered other troops in pursuit, and directed General Corse to return to Rome. Here he was employed for a month in work upon the fortifications, in reconnaissances, watching and checking the movements of the enemy, in building bridges, and in looking after army supplies, for which Rome was the depot. The activity of the division was incessant and of great service to the whole army.

#### CORSE TO GENERAL SHERMAN.

ROME, GA., Oct. 22, 1864.

All quiet along the railroad. The communication with Chattanooga will be opened positively, I am informed, by Monday. I have ten days' rations for my command and about 500,000 for your force. I think I can get the sick and wounded off Monday or Tuesday on through trains. There are about 1,200 here now; when they are gone I am ready to clean the place, and move with ten days' rations. Should you require the place to be abandoned, please give instructions as to disposition of things left here.

#### GENERAL SHERMAN TO CORSE.

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,

IN THE FIELD, GAYLETSVILLE, ALABAMA, Oct. 22, 1864.

I want all the preparations continued that I have heretofore marked out, in a quiet way, not to attract too much attention, but it will be some time before I can uncover Tennessee. I must give General George H. Thomas full time to prepare his new lines. Continue to notify all the post commanders where we are, and that absentees fit for honest duty can find us via Rome. Keep me fully posted, and use my name freely in orders sent to the rear to accomplish my purpose and plans.

In a letter to General Halleck, Oct. 24, 1864, General Sherman included Brigadier-General J. M. Corse among division commanders who "should be promoted to the rank of Major-General, men of marked courage, capacity, and merit, who are qualified for separate commands."

On the 29th of October General Corse informed his brigade commanders that they were soon to take the field for a long, arduous and successful campaign, and called them to the greatest energy in fitting up their commands. Baggage, clothing, camp and garrison equipage, not absolutely required in the campaign, were to be shipped to the rear, in charge of those who were not able to endure a march. The sick and wounded were sent north from the hospitals. On the 10th of November the defenses of Rome were destroyed and the forts dismantled. Large pieces of ordnance for which no transportation could be procured were burst or spiked. For the same reason much valuable public property and officers' baggage had to be abandoned. The pontoons had been hauled out of the river and piled up to dry for burning. The machinery in foundries, mills, tanneries, and workshops was broken up so as to be unfit for use. At 10 o'clock at night the property destined for destruction was in flames. Guards and patrols prevented disorder, pillage, or firing of private residences, and no private residence was burned, nor a family disturbed.

At daylight, the next morning, Nov. 11th, General Corse moved with his command to Kingston, and on the following day reached Cartersville and moved near Allatoona. On this day, Nov. 12th, the telegraph wire was severed, and all communications with the north ceased. General Corse crossed the Chattahoochee at Turner's Ferry, and reached the vicinity of Atlanta on the evening of the 14th. His command now numbered 3,710 effective men.

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#### 4—THE MARCH TO SAVANNAH.

On the "March to the Sea" the four corps of General Sherman's army, numbering 62,204 men, followed different routes, covering a tract of country 50 or 60 miles in

width southeasterly from Atlanta. General Corse's position was in the Right Wing, Major-General O. O. Howard commanding, and in the 15th Corps, Major-General Peter J. Osterhaus commanding.

On the morning of Nov. 15th General Corse's division marched into Atlanta, as the rest of the 15th Corps were marching out. The troops drew rations and clothing, loaded twenty days' supplies on the wagon trains, and headed south the same evening. Their route lay through Rough and Ready, McDonough, and near Jackson, where they bivouacked Nov. 18th. On the 20th they crossed the Ocmulgee River at Seven Islands, in rear of the corps. From this point to Gordon the roads were almost impassable by incessant rains. The command was also incumbered by a pontoon train, by 300 wagons belonging to the cavalry division, and by a drove of 3,000 cattle. But they struggled through the mud and swamps, and at Gordon were relieved of the additional trains. The Georgia Central railroad was struck on the 22d, and destroyed for six miles, the ties burnt, the rails bent, twisted and broken. One evening a negro was brought to General Sherman who had been that day to Tenille Station. To the inquiry if he had seen any Yankees there, he said: "Yes—first, there come along some cavalymen, and they burnt the depot; then come along some infantry men, and they tore up the track, and burnt it; and just before he left they had sot fire to the well." The next morning, Nov. 27th, General Sherman rode to Tenille Station, and found General Corse's division engaged in destroying the railroad, and saw the well which the negro had seen "sot fire to." It was a square pit, about 28 feet deep, boarded up, with wooden steps leading to the bottom, wherein was a copper pump to lift water to a tank above. The soldiers had broken up the pump, heaved in the steps and lining, and "sot fire to" the mass of lumber in the bottom of the well, which confirmed the negro's description.



Up to this time the troops subsisted mainly upon the country, drawing but little from rations in the army-wagons. Foraging parties of 50 men to a regiment under an officer scoured the plantations and collected food of every description from barns and granaries and smoke-houses. But now the march was through pine barrens, and fresh supplies were scant.

On the 2d of December the Ogeechee River was reached, and the division marched parallel with it for several days, crossing and recrossing at intervals. At Jenks' Ferry, on the 7th, the enemy resisted the crossing, but were forced back by the 2d and 7th Iowa. Brigadier-General Elliott W. Rice, commanding 1st Brigade, says in his report:

The country for about three-quarters of a mile was nearly waist deep with water in the swamps and lagoons, through which the troops waded with a good will, driving the enemy into a small rail-work which they had hastily constructed. I endeavored to turn their position, and gain the rear of their defenses by throwing a portion of the 2d Iowa to their left, under cover of a thick woods in that direction, but the troops in front could not be held back. They dashed right over the rail-works, capturing 20 prisoners, killing 2, and wounding four men. The balance of the rebel force rushed to the railroad, and taking the cars moved off in the direction of Savannah. In this skirmish the 2d Iowa lost 2 men killed and 2 wounded, and the 7th Iowa 2 men wounded.

The following day, Dec. 8th, the Ogeechee and Savannah Canal was reached, and the roads leading into the city were found obstructed by felled timber, and covered by earth-works with artillery. For the first time in the march shovels were sent to the front, and earth-works thrown up. The command entrenched on the north bank of the canal. A reconnaissance developed the enemy in force with artillery at the junction of the Dillon's Bridge road with the King's Bridge and Savannah road.

On the 9th General Corse moved out with two brigades, Adams' and Rice's, and Brunner's battery, to obtain possession of the Cross Roads, and try to open communication with the rest of the corps. The dense

undergrowth made movements in line exceedingly difficult, but the advance soon developed the artillery of the enemy. It was impossible to see through the dense woods, and the enemy's artillery swept the road so as to render it untenable, compelling the battery to play on their works from a field behind a thick forest and to fire altogether by the sound of their guns. "At this time," says General Corse, "information was brought that a column of the enemy was moving on my right, and I pushed Rice with two regiments toward the King's Bridge road, and ordered Adams to push on with vigor. Increased volleys of musketry and a sudden cessation of the enemy's artillery, with the significant yelling of our men, indicated that the assault was in progress, and before I could reach the center, or Rice could make the road, our troops were in the enemy's works with quite a squad of prisoners, and one piece of artillery as a trophy. The enemy were pursued for four miles, and the 7th Illinois Mounted Infantry struck for the Gulf railroad, arriving in time to tear up a rail and capture a locomotive and eighteen cars, with about 40 prisoners. The brigade left at the canal was then brought up with the supply and ordnance trains, and the division went into camp with a good line of defense, near the main branch of the Little Ogeechee, about eleven miles from Savannah." Here General Corse was in close communication with the other divisions of the 15th Corps, and the Right Wing and the Left Wing of General Sherman's army closed in simultaneously upon the Confederate works which covered the approaches to the city between the Ogeechee and Savannah rivers.

On the 10th General Corse found the enemy in his front apparently in heavy force, but intervening swamps and rice fields made approaches extremely difficult. The Confederates gathered on parapets and unfurled their banners defiantly. By means of the canal and the Little Ogeechee river they were able to flood the country.

There were heavy rains also which converted the roads through the marshy soil into a sea of mud and quagmire, and corduroy tracks had to be constructed, and bridges that the enemy had destroyed were rebuilt, for the movement of troops and of supplies. The enemy's guns were of larger caliber than our light field pieces and gave some annoyance. A staff officer of General Sherman's relates this incident of the situation:

It was brained about one day that two barrels of old Monongahela had fallen into General Corse's possession from a neighboring plantation, and scores of officers came from all sides in wagons and ambulances, or on horseback, with medical certificates that they required a stimulant. The tide of thirsty visitors was a hindrance to the general's work and, though no less hospitable than gallant, he found a way to stop it. His headquarters were upon a causeway among magnificent live oak trees. Here and there through openings in the ever-green foliage the pale canvass of the white tents was revealing our position to the enemy, a few hundred yards away, and the rebel guns had a habit at 3 o'clock in the afternoon of opening fire until sundown. Perhaps not unmindful of this, General Corse gave out word one morning that official duties would prevent his entertaining visitors until afternoon of the following day. And the sun had hardly crossed the meridian when his friends, officers of all grades from the single-barred lieutenant to the double-starred major-general, began to arrive. They gathered on the parade ground, some stretched upon blankets, others upon boxes and camp-chairs, enjoying the sunshine, the balmy air and the whisky. It was a jovial party of soldiers who had seen the bright and dark side of life, who had endured the pain of wounds and the hardships of campaigning. "Here's your health, General!" cried a staff officer who had known his host when they fought side by side, "and may you never get a closer call than that Allatoona bullet across the cheek."

The host answered with a nod, and fifteen or twenty bronzed and bearded faces were uplifted, and as many pairs of eyes gazed into the sky through a yellow stained tumbler. At this moment a sharp muffled sound, "Boom! boom! boom!" came thumming over the marshes, and the air was filled with a shriek and thir-r-r, that seemed exultant to break in upon the social joy. The first of the iron messengers smashed into Adjutant Carper's tent and through his desk, scattering his papers: the second ricocheted into the trees beyond; the third rolled along toward the whisky barrel. The disgust and consternation of the visitors was expressed in grotesque attitudes. For a moment transfixed they changed position as the big cannon across the marshes again found voice; several sought their horses, calling loudly for their orderlies:

others sought their presence of mind which had taken wings with Leo Carper's papers; but the greater number placed the protecting trunks of the huge oaks between them and the offending guns. At last several found breath: "What is this, Corse? A nice tea-party you have invited us to!" Meanwhile the unperturbed host had taken out his watch—"Precisely on time, 3 o'clock! Pardon me, gentlemen, that I did not notify you that I expected strangers at this hour. The people over the way invariably send their compliments at this hour, and," he spoke more deliberately as he pointed at the cannon ball, "these fellows continue to come until sundown."

The words had hardly passed the general's lips when the files of officers behind the trees broke up. "Won't you take another drink, gentlemen?" asked the courteous Corse, and then addressing his complimentary friend of a moment before—"Say, Captain, I would like to respond to your toast." But there was a fast mounting of restive horses, and in half a minute all evidence of the jovial party was a cloud of dust down the long avenue of oaks as the galloping steeds disappeared.—*Harper's Magazine*, xxxii, 368-9.

From day to day General Corse pushed forward his line and came closer to the rebel works. On the night of the 19th he obtained permission to attempt a lodgment on the other side of the Little Ogeechee, and sent over Lieutenant Pittman, 81st Ohio, with ten men who volunteered for the purpose. The movement was hazardous, but it was accomplished without loss or awakening suspicion of the enemy. Having demonstrated the practicability of crossing a column, General Corse wanted to put a force over during the night, and the next day move the division over and assault the enemy. But General Sherman had ordered that while all possible preparation should be made, there should be no attack in his absence.

Meanwhile, on the 13th General Hazen, of the 2d division, 15th Corps, had captured Ft. McAllister, and Sherman had gone to the fleet, had obtained heavy ordnance for bombarding the city, and was arranging to invest "Union Causeway" upon the other side of Savannah river, which offered the only line of retreat for the enemy. Under these circumstances, to save his troops, General Hardee evacuated Savannah on the night of the



20th. A few days before, Beauregard had sent word from Charleston to General Hardee: "Whenever you shall have to select between the safety of your forces and that of Savannah, sacrifice the latter."

Upon the morning of December 21st the Union forces marched into Savannah, and General Corse in accordance with orders went into position on the east side of the city, his left resting on the river, his right occupying Ft. Brown on Shell Road.

On returning from the fleet and Port Royal, General Sherman found the city in possession of his troops. He was disappointed at the escape of Hardee, but content that so much was gained without the loss of life which would have attended an assault, and happy that he could present Savannah as a "Christmas Gift" to President Lincoln. On Christmas day a garrison of 80 men from Corse's division was ordered to Fort Thunderbolt, one of the forts by which the Confederates had long held our navy at bay.

The length of the march from Rome to Savannah was 368 miles. The pioneer corps of Corse's division built thirty bridges on the march, and corduroyed nearly seven miles of road over marshes and swamps.

At the close of his official report General Corse said: "The march was in some respects an arduous one, but proved on the whole pleasant and beneficial to the command. The health of the men was never better, nor were they ever in better spirits than when they took possession of Savannah. The list of casualties was exceedingly small."

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An association has been formed at Sioux City to collect funds and erect a monument to the memory of Sergeant Charles Floyd, of the Lewis and Clark expedition, who died and was buried there August 20, 1804. Hon. C. R. Marks is the secretary.

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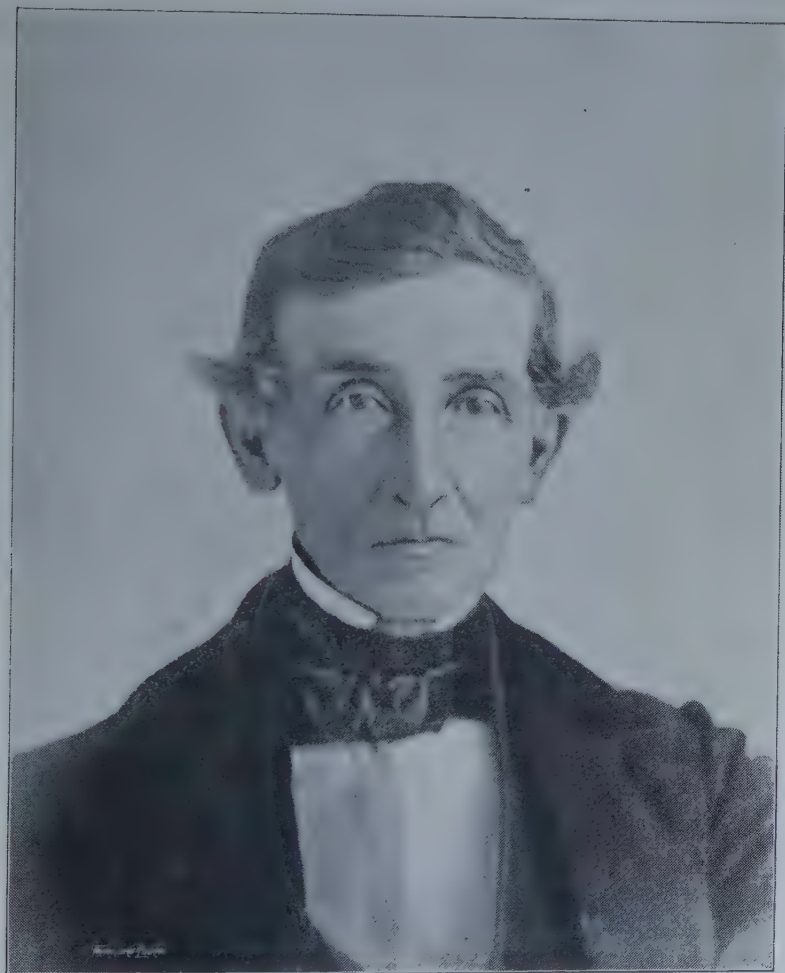
MAJOR WILLIAM WILLIAMS.

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BY EX-GOVERNOR CYRUS C. CARPENTER.

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The story of the pioneer, prominent in laying the foundation of a community, is always interesting to his successors. Major William Williams, however, possessed qualities which made him an interesting personality apart from the fact that he was a chief actor and factor in the early settlement of Northwestern Iowa. Among the immigrants to Iowa, between the years 1849 and 1856, a large number came from Western Pennsylvania; and especially from the western slope of the Allegheny Mountains. The writer well remembers how, in the early history of Fort Dodge, he, with others, often counted the large percentage of its pioneer population hailing from Western Pennsylvania. Among these was Major Williams. He was born at Huntingdon, December 6th, 1796, and died at Fort Dodge, Iowa, February 26th, 1874. In the seventy-eight years of busy life intervening between these two dates, were crowded scenes and events worthy of perpetuation in the annals of his adopted State. His early education was limited to the acquirements common to the public schools of Pennsylvania. His father had died whilst he was yet a mere boy, and as he was the oldest, the care and direction of the younger children devolved in large measure upon him. This led him to devote himself to business pursuits whilst a mere youth. He was for a time a merchant. Then a manufacturer of salt on the Kiskiminitas river. His later years in Pennsylvania, however, were employed in banking. He was connected with the Exchange Bank of Pittsburg, and was cashier of the branch at Hollidaysburg. He was generous and open



MAJOR WILLIAM WILLIAMS,  
Commander of the Spirit Lake Expedition, 1857.





handed in his nature; so that many years of arduous toil failed to yield him large accumulations. He had married a Miss Judith Lloyd McConnell in 1830, who died in 1842. Of the five children who came to them, two are still living—James B. Williams of Fort Dodge, and Mary, the wife of Hon. John F. Duncombe. He was again married in 1844 to Jeanette J. Quinian, and of their three children but one—Wm. H., is now living. In March, 1849, he came to Iowa, and for a time lived at Muscatine. In his early life he had developed a taste for military drill and study. He had been an officer in the militia of Pennsylvania. He therefore naturally kept himself informed respecting the movements of the United States Army. So, in 1849, when the order was made for the establishment of a Military Post on the borders of the then uninhabited region now known as Northwestern Iowa, he sought and obtained the appointment as sutler for the post. When the battalion marched through the State from Fort Snelling, Minnesota, to the point on the Des Moines river designated by General Mason, commanding the department, as the place at which a Military Post was to be established, he joined and accompanied them from the Iowa river in the southeast corner of Tama county, whither they had first gone to assist in the removal of the lingering remnants of the Sac and Fox tribes of Indians to their reservation in the Indian Territory.

Major Williams says in a narrative of events which he has left among his papers: "We arrived at the point designated on the 23d of August, 1859. The officers and men of the detachment had served through the Mexican war, and many of them in the Seminole and Florida wars, and from what they had heard of the country they were to be stationed in, they expected to find a region similar to Florida, covered with lakes, ponds, swamps, and destitute of timber; but they were agreeably disappointed. All were highly pleased with the location. The

fine groves of timber, above and below, the pure springs of water and rippling streams, together with the appearance of coal, gypsum and other minerals, the building stone, and enchanting scenery, caused all to pronounce it the most beautiful part of Iowa they had ever seen. When the plans for building quarters, and the arrangement of the buildings were under consideration, it was determined to build convenient as possible to the fine springs of water, and where they would be sheltered from the north-west winds by the timber. It was the opinion of all the officers at that time, that owing to the beauty of the location, and the resources of the country, at no distant day a town of some importance would be built on the site."

During the three years that the troops remained at Fort Dodge they were employed in building the houses which were occupied by the officers and soldiers as quarters, and in fencing, breaking and cultivating a large field near the quarters, and also in scouting and exploring the country north, west and east of the post.

Major Williams has left a narrative of the events at the Fort during these years which is full, graphic and interesting. But, as by a treaty with the Sioux Indians made in 1851, the government purchased all the territory in Minnesota from Lake Pepin to the mouth of Rock River on the St. Peters or Minnesota river, also all the lands within the state of Iowa belonging to the Sioux, which embraced the lands lying west of the Des Moines river and north of Fort Dodge in Iowa, it was regarded by the War Department as no longer necessary to maintain a military post at Fort Dodge. So, on the confirmation of this treaty, Captain Dana of the 6th Regiment of United States Infantry, was ordered to select a site for a permanent post on the north line of the new purchase. The site selected was at the junction of the Rock with the St. Peters or Minnesota river. This has since been known as Fort Ridgely.

In July, 1853, Major Woods, commanding the detachment at this place, received orders to abandon Fort Dodge and move to Fort Ridgely, to assist in building quarters for the officers and soldiers at the new post. On the departure of the troops, Major Williams and his son, James B., with two or three discharged soldiers, were all the people left at Fort Dodge. After the removal to Fort Ridgely a discharged soldier named Joseph Sweet was sent back under pay of the officers to take charge of the buildings. This led Major Williams to the conclusion that it was the purpose of the officers to enter the lands on which the improvements were located.

When the fort was located, in accordance with the uniform custom of the War Department, a reservation was made covering all the improvements and adjoining lands. It extended four miles south and four north, and two miles east and west of the river, making a reservation eight miles long and four miles wide. It has always been the policy of the government to make reservations covering the improvements of military posts, and when they are no longer needed for military purposes to sell them to the highest bidders. But an unexpected complication had arisen at Fort Dodge. When the land came to be surveyed it was found that the improvements made by the government were on section nineteen, an odd section, which under the decision of the Secretary of the Interior was river land, and belonged to the State of Iowa. Here were improvements which had cost the government \$80,000 that were about to be abandoned, as they were on land held to be within the Des Moines River Grant. The Major was awake to these legal complications and determined if possible to enter the lands himself. Accordingly, upon the return of Sweet to assume charge of the buildings he went to Ottumwa, where the office of the State for selling river lands was located, and bought all of section nineteen on the east side of the river, and then went to Des Moines.

where the government land office was located, and entered several hundred acres of the adjoining lands on even sections.

He now began to lay his plans for the location of a town on the original site of the military post. In March, 1854, he had completed the survey of the original town of Fort Dodge. From this time forward during the remainder of his life he devoted himself almost exclusively to the care of his lands in and about Fort Dodge, and to building up and advertising the town. He early secured the extension of a mail route from Homer—then the county seat of Webster county—to Fort Dodge. With the establishment of a postoffice at Fort Dodge he was himself appointed the first postmaster. In 1855, by act of Congress, the United States Land Department in Iowa was reorganized—two new districts were provided for and new land offices established at Fort Dodge and Sioux City. Major Williams was active and prominent in securing this legislation.

After the departure of the United States troops from Fort Dodge, parties of Indians frequently came back to their former hunting grounds, and in some instances had committed depredations upon families of the scattered settlers who had begun to make claims and improvements along the Des Moines river. A party of surveyors in charge of a Mr. Marsh, who had the contract for surveying the correction line across the state, were set upon and robbed within three miles of Fort Dodge. A pioneer by the name of Henry Lott, who had originally made a claim near the mouth of the Boone Fork, had been robbed during his absence from home, and one of his children who had fled from his cabin in fright, whilst the Indians were ransacking the premises, had perished from cold and exposure. Afterwards Lott, who had moved further north and made a claim at the mouth of a creek in the present Humboldt county, now known as Lott's creek, in



turn attacked and killed an Indian named Sidominadota and his entire family, who were camping and hunting in the vicinity. These events had so alarmed many of the settlers that they flocked into Fort Dodge for protection. Major Williams represented the facts to Governor Hempstead and was authorized by him to organize a force, if necessary, to protect the frontier. During the winter of 1854-5, parties of Indians frequently visited Fort Dodge, camping in the immediate neighborhood, and hunting and trapping along the Des Moines river and the Lizard Fork. The leader of the principal band of these Indians was Inkpaduta. And whilst their attitude was frequently reported as threatening to settlers remote from neighbors, yet the winter passed away without any depredations in the vicinity of Fort Dodge.

The summer of 1855 witnessed an influx of land-hunters, claim seekers and explorers, which brought Northwestern Iowa into general notice. People began to move up the east and west branches of the Des Moines river and lay the foundation of future homes. Several families settled at the groves along the Lizard Fork. Others crossed the prairie from the head waters of the Lizard to the Little Sioux river and made pre-emptions at and above the present site of Sioux Rapids. The majority, however, made claims upon which they put some little improvements, and left them for the winter, proposing to come and occupy them permanently the following summer.

Whilst the winter of 1854-5 had been mild and open, that of 1855-6 was noted for its severity, its heavy snows and for the intensity of the cold. The spring, however, brought renewed cheer and hope to the scattered settlers in Northwestern Iowa, and the prairies during the summer of 1856 were thronged with adventurous immigrants in search of claims and pre-emptions. Every grove along the Des Moines river and its borders resounded to the axe of the hardy claimant, felling the trees for his cabin. The

little Sioux was explored from its mouth to its source, and the pre-emptor was found at almost every grove which afforded sufficient timber with which to erect a cabin and furnish fuel.

During this summer several families settled at the Oko-boji and Spirit lakes. The most of these settlers reached the lakes in the months of July and August, giving them barely time to erect their cabins and cut the hay for the few cattle they had brought with them, before the winter of 1856-7 set in with a fury, steadiness and severity, which make it a land-mark in the experience of every person who after more than thirty-five years shivers at the mention of it. The prairie between the groves where the scattered pioneers had built their cabins, was a bleak, unbroken desolation. The wild winds swept across the crusted snow-banks with cruel and pitiless ferocity. Day after day were constant repetitions one of the other.

The snows fell and drifted until the prairies were impassable to men or teams, except in comparatively thickly settled neighborhoods, where the roads could be kept open by constant use. The scattered settlers along the Little Sioux river through the counties of Cherokee, Buena Vista and Clay, and those at the lakes in Dickinson county, were almost as thoroughly cut off from intercourse with the outside world as though they had been cast away on an island of the sea. During the month of February, the Indians known as Inkpaduta's band, appeared on the Little Sioux river in the northeast corner of Woodbury county—ostensibly to hunt, but in reality to beg, steal and rob. They passed up the Little Sioux to the lakes, robbing and maltreating the settlers, and in several instances shamefully abusing women, and threatening destruction to entire families along the route. They reached the lakes in the early days of March. And finally on the 8th of March their hostile purposes culminated in the massacre of more than one half the people at this settlement, and

between the 8th and 13th their bloody work continued. Of the more than forty men, women and children not one escaped alive, except a girl of 13 years, Miss Abbie Gardner, and three women, Mrs. Marble, Mrs. Noble and Mrs. Thatcher, who were carried into captivity.

In the fall of 1856 three men, from Newton, Jasper county, Messrs. O. C. Howe, B. F. Parmenter and R. U. Wheelock, had visited the lakes and made claims, with the purpose of returning and improving them the following season. Early in March they had started with oxen and wagon to return to the lakes. After great hardships they arrived within a few miles of their destination, when their team had become so completely exhausted that they left their wagon and pushed on to the lakes, reaching them late in the evening. But instead of finding the settlers, with whom they had become acquainted the fall before, ready to receive them, on arriving at the cabin occupied by the family of Joel Howe, they were horrified to find the ground strewn with dead bodies and the interior of the house a desolation. The next morning they visited the claim of a family named Mattock, about a mile and a half distant, found the cabin burned and the entire family murdered. This convinced them that everybody in the settlement had probably shared the same fate, and they started immediately for Fort Dodge. Upon their arrival at Fort Dodge a meeting was called and responded to by almost every able-bodied man in the town. It was resolved to raise a command and march immediately to the lakes in order to rescue any of the settlers who might have escaped the massacre, and if possible overtake and punish the Indians.

Major Williams had informed Gov. Grimes as early as 1855 of his fears that the wandering bands of Indians which frequently made incursions into the settlements might commit depredations upon the lives and property of the settlers. And the Governor had renewed the commission orig

inally granted by Gov. Hempstead, authorizing him to organize and arm settlers to repel the Indians upon any indication, on their part, of hostile purposes. He was therefore looked upon as the natural leader of the expedition. Two companies, comprising about thirty-five men each, were organized at Fort Dodge. And a third company was organized at Webster City, whither runners had been sent to inform the people of that town of the massacre and of the proposed relief expedition.

The news of the massacre reached Fort Dodge on the 21st of March, and Webster City on the 22d. On the 23d the company from Webster City marched to Fort Dodge. On the 24th the battalion of three companies, under the command of Major Williams, left Fort Dodge for the scene of the massacre.

It is not proposed at this time to go into details respecting the campaign. Suffice it to say, that in all the stories of pioneer hardships and heroism, this campaign has had but few parallels in history. As has been said, the winter had been one of the severest known in Iowa. The snow was unusually deep. On the prairie level it was at least two feet in depth. And in the ravines and depressions was frequently from eight to ten feet deep.

The battalion moved in light marching order. Three wagons drawn by oxen, and three or four horses constituted the transportation of the entire command. Most of the men were without proper clothing for such a campaign, whilst their scanty rations were very limited in variety. Thus equipped, however, the command was to march one hundred miles over a trackless, snow-covered prairie. At times, to get the wagons, cattle and horses through the deep snow-drifts, the entire command would form in two single files, as far apart as the tracks of an ordinary wagon, and march and counter march until they had beaten two tracks over which the teams could be moved. When the snow was so deep and light that it would not



pack by marching and counter-marching across a drift, a long rope would be attached to a wagon and from fifty to one hundred men would haul it through in spite of resisting piles of snow which would accumulate in its front. And not infrequently the cattle would be pulled across a snow-drift by the main strength of the battalion. Each day's experience was but the repetition of its predecessor, except that the second day after leaving Medium Lake, in Palo Alto county, the command met and cared for the refugees from Springfield, Minnesota, whom the Indians attacked after the massacre of the settlers at the lakes.

The few settlers at Springfield having heard a rumor of the massacre at the lakes, had, with the exception of one or two families, assembled in the largest log house in the settlement where they made a desperate resistance. And although two of the men and one of the women had been wounded, and nearly all those who had not reached the house had been killed, the Indians finally retired from the attack. As soon as satisfied the Indians had left, the people in the house, under cover of darkness, took from a stable, which had been saved from fire and plunder by its nearness to the besieged house, a yoke of good oxen, and hurriedly hitching them to a sled, upon which the wounded and a few provisions had been loaded, fled southward. For four nights and three days they had pushed forward, when nearly exhausted by exposure and want of food, they were met by the expedition. And when the wounded had been cared for, they were furnished food from the scanty supply of the command and sent on their way southward.

The impression now prevailed in the battalion that the Indians would be overtaken, and the next day the men pushed forward with renewed determination, arriving at night at Granger's Point, near the Minnesota line. Here they learned that Captain Bee, in command of a company of regular soldiers from Fort Ridgely, in Minnesota, had

been at the lakes, and having scouted from thence to Springfield, found that the Indians had left with their captives and booty.

As the provisions of the battalion were now nearly exhausted, and as it was conceded that any further attempt to overtake the Indians would be fruitless, Major Williams determined to send a small detachment to the lakes, some fifteen miles west, to bury the dead, supplying this detachment with all the provisions that could be spared, whilst the main command were to return to the source of supply at Fort Dodge.

The return march was even more terrible than the movement toward the lakes. The main body of the command, on the third day after starting upon the return, waded through melting snow and sloughs filled with water and slush, beneath a drenching rain, until 4 o'clock in the afternoon. When thoroughly wet and exhausted they arrived at Cylinder Creek. Here they found the water out of the banks, covering the entire bottom, making a stream nearly half a mile wide. The water was at least three feet deep over the entire bottom and the main channel, some hundred feet in width, was from twelve to twenty feet deep. They spent perhaps an hour in trying various experiments, and looking up and down the stream in the hope of finding a way, or a place to cross. The day had been mild, but the wind now veered into the north, the rain turned to snow, and the mercury fell several degrees below zero. Not a man in the command had a dry thread on his body, but in the face of this pitiless storm they improvised a shelter out of a wagon cover and a single tent, which broke the wind from the north, east and west. The men then huddled together under this shelter, and remained without food from 4 o'clock Saturday afternoon until Monday morning. In the mean time the creek had frozen over so that the whole command with wagons and animals crossed on the ice





your humble servant



But appalling as was the suffering of the main command it did not equal that of the detachment which had gone to the lakes to bury the dead. The same day that the main body of the battalion arrived at Cylinder creek, this detachment had started across the prairie between the lakes and the Des Moines. They were delayed and wearied during the day in finding crossings over the swollen streams and through the overflowing sloughs. Night found them on the prairie in this terrible blizzard. The stronger and more resolute kept their feet all night, and prevented their comrades from perishing by constantly rallying them and preventing them from giving way to sleep. The next morning after incredible hardships they reached the timber on the Des Moines river. Two of their number, however, had lost their bearings in the blinding storm and perished on the prairie. It was ever after a source of grief to Major Williams that the final results of the expedition had been clouded by the sad death of these two young men. One, Captain J. C. Johnson, was commanding officer of the Webster City company. He was a man of noble bearing and with bright promise of future success and usefulness. The other, Wm. E. Burkholder, was an intelligent and manly young man, just elected treasurer of Webster county, and possessed of qualities of head and heart which gave him a strong hold upon the good will of his comrades. These two lives were sacrificed in the noble endeavor to aid in protecting the helpless settlers upon the frontier. Such is the story of a campaign, made by the young men who composed this volunteer battalion.

And when one considers that, from first to last, the command was as orderly, as ready to perform the most trying and dangerous duties as any organized force of regular soldiers could have been, it is not only a tribute to the men, but to the officers who commanded them, and especially to Major Williams, chief in command. He

could not appeal to a court-martial to enforce discipline. He had no guard house to give effect to his orders. His authority was simply the moral supremacy of a manly and energetic character, and throughout the campaign he retained the respect and confidence of the entire battalion. He was over sixty years old. He had a horse, and yet he **probably did not ride one half the time.** For hours he would pull through the deep snow-drifts on foot while a weary and foot-sore boy would ride his horse. He never lost his good nature, and in the face of the most trying situations bore a hopeful front. He would march all day, uncomplainingly through the snow, and at night accept the same fare as the other members of the command. He would pull on his boots in the morning—shrunken and hardened from the melting snow of the day previous—and start forward on the new day, fresh, smiling, cheerful and resolute. No young man, with any pride, could see all this without catching the inspiration which constitutes the hero.

In all the years of his after life he kept informed of the whereabouts of the men who comprised the battalion, and never tired of repeating incidents of the march, and telling stories illustrating the peculiarities of various members of the expedition. Such was Major Williams as a leader of men.

When Fort Dodge was finally organized as a third class city he was elected the first mayor. His pride in Fort Dodge, and anxiety for its growth and prosperity, were enthusiastic and unceasing, and his efforts in behalf of its improvements were constant and untiring.

The writer has given so far as he has been able to procure them, the principal facts in the life of Major Williams. But this story would be incomplete if he did not record some of his social characteristics. He loved cheerful companionship, being himself a good story teller. He was especially entertaining in relation to men whom

he had known, and events in which he himself had been an actor. And yet he never told a story offensive to good taste.

He was a mimic. His power of impersonation was inimitable. He was fond of the society of young men. He loved to spend an evening in the offices of some of the young men, and with peculiar drollery impersonate the characteristics of some of the young fellows not present. It is not likely that any young man in Fort Dodge escaped, on some occasion, being made the subject of his power of mimicry, not even Duncombe, his prospective son-in-law. And yet there was never any malice in his impersonations. They were simply an overflowing love of fun. The writer can never forget his impersonations of Major Armistead, one of the regular army officers at the post, who was killed at Gettysburg, commanding a division in the rebel army. His alternations in reading prayers in presence of the soldiers, in the absence of a chaplain, and the next minute swearing at some offender until it would fairly startle even an old soldier, afforded a peculiar subject for the Major's power of mimicry.

He and his entire family were musical. In the early days at Fort Dodge, the home of Major Williams was the only house in which there was a piano. It was a pleasant home. There was a sprightly and accomplished young lady in the family (now Mrs. Duncombe) and every member of the family could perform on some musical instrument. The coterie of young men then in Fort Dodge all lived at the hotel, and to occasionally spend an evening in this home, was one of the experiences that kept the boys from relapsing into heathenism. Mrs. Williams would play the piano. The Major, with his violin, would stand by her side and enter into the spirit of the occasion with the zest of a boy. Up to the day of his death he did not "hang up the fiddle and the bow," nor did the hand that drew the bow forget its cunning.

Major Williams was a Democrat, and a partisan. The writer was a Republican, and something of a partisan. In the fierce contentions and antagonisms of the earnest politics which immediately preceded the civil war, it required a philosophic temperament in men who widely and radically differed, to pass through the fiery ordeal without questioning personal motives. But it affords the writer pleasure to record this judgment of Major Williams: He was a man of sincere purposes, of patriotic impulses, of generous intuitions, and he was never happier than when performing the kindly offices of neighbor and friend.

NOTE.—Granville Berkley, pioneer lawyer of Webster City, and also of the older town of Homer, the first county seat of Webster county, secured the skull of Sidominadota, (mentioned in Governor Carpenter's article), and kept it several years in his office. This skull, when I saw it in 1857, showed many fractures, as though the head had been beaten with a heavy club, and portions of the integuments were still adhering to it. Mr. Berkley stated that he kept this ghastly relic because the murdered Indian had been his friend.—EDITOR OF THE ANNALS.

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#### WASHINGTON'S NOTION ABOUT THE SENATE.

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Sir John McDonald, the first Prime Minister of Canada, was fond of relating this story to illustrate the need of an Upper House:

"Of what use is the Senate?" asked Jefferson as he stood before the fire with a cup of tea in his hand, pouring the tea into a saucer.

"You have answered your own question," replied Washington.

"What do you mean?"

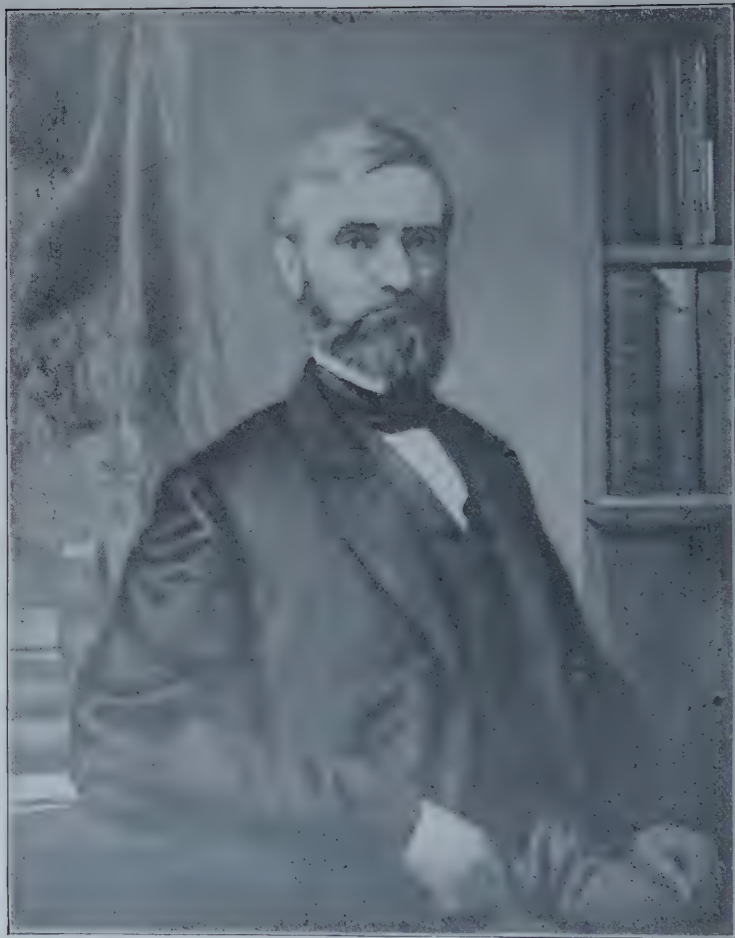
"Why do you pour that tea into the saucer?"

"To cool it."

"Even so," said Washington, "the Senate is the saucer into which we pour legislation to cool."—*Philadelphia Record*.







HON. CHARLES MASON.  
First Chief Justice of Iowa Territory.

## THE YEWELL PORTRAIT OF CHARLES MASON.

Mrs. Mary J. Remey, wife of Captain Geo. C. Remey, of the United States Navy, in May last, sent to the Historical Department of Iowa, a fine oil portrait, from the easel of G. H. Yewell, N. A., of her illustrious father, the late Honorable Charles Mason, with the request that it be presented in her name by Ex-Chief Justice George G. Wright, to the Supreme Court of this State, for permanent keeping in its chambers. The 22d day of May, at 2 p. m., was indicated by Chief Justice Josiah Given as the time for the reception of the portrait. A large audience had assembled, when, upon the formal opening of the court, Judge Wright spoke as follows:

MAY IT PLEASE THE COURT: November 26th, 1838—May 22d, 1895—almost fifty-seven years. On the first date Charles Mason, chief justice, with his associates, Joseph Williams and Thomas S. Wilson, commenced the first term of this court at Burlington. The only business transacted was an order for a writ of error to Muscatine county, and the first case decided, and one of world-wide importance, was in 1839, being *Montgomery vs. Ralph* (a person of color) in which, the chief justice preparing the opinion, it was held that a slave under the laws of another state, brought by his master to Iowa, while under the protection of our laws must be permitted to go free. The Territory then had a population of about 25,000, with, say, a dozen organized counties, and I doubt if a court-house in any. Now, ninety-nine organized counties, a population of at least 2,000,000, and more business transacted in this court every term than in all the eight years of our territorial life.

And yet, no true friend of the state or its jurisprudence will despise the day of small things, or those figuring therein. For to do no more, think of the new chief justice, among the youngest ever called to a place so high, dignified and important, in this or any other Territory or

state, and look at his surroundings and the difficult nature of the work before him. Without libraries, without a court-room worthy the name, without home precedents, with few if any around him with greater experience, a stranger to our laws and institutions, such as we had; a new people gathered from all parts of this and the old world, all untried in policies and inexperienced in legislation or judicial action—foundations to be laid, strong, or weak and perishable; called to so steer the judicial ship as to insure the best interests of the new land; and contemplate the advancement and progress which followed; the prudence, integrity and ability of himself and associates; and then our state, among the happiest, best and most prosperous in the strong and growing forty-four. How well their work was done I need not stop to inquire; content as I am to say that in no other Territory, if in any state, either from 1838 to 1846, or before or since, was there safer judicial action, more unquestioned integrity among the incumbents, or apparently a higher or better appreciation of the great and momentous work imposed. And in this connection, but glance at the opinions announced for the eight years and you will see how great the proportion prepared by the young chief justice, and few, if any, of them after the lapse of fifty years, have been reversed.

Once more time passes and on the 25th of February, 1882—more than thirty years since—this same chief justice “stepped from the topmost round of the ladder of earth to his home in the skies,” and to day, by the generosity and love of his devoted daughter and her worthy husband—the latter among the most honored of our able naval officers—we welcome to this beautiful capitol, and, if possible, this more beautiful room, his portrait, which is to remain for all time a speaking and impressive reminder of one who labored so faithfully in laying the foundations upon which it is for you, as it has been for your predeces-

sors, and will be for your successors, to so build as to bring no reproach to that bench which he honored, that profession which he loved, or the people whose highest interests he always sought to promote.

But what of his life? Briefly: Descended from Major John Mason, who distinguished himself in the famous Pequot (1637) war—he was born in Onondaga county, New York, October 24, 1804,—in 1825 entered the West Point Military Academy, where he graduated in 1829, first in his class, spending two years there as an instructor—then entered upon the study of law—in 1832 removing to Newburg in the state of his birth—thence to New York City in 1834; while there a frequent and valued contributor to its leading paper and for a time its sole editor—first visited the West in 1836—was married in 1837 at Galena, Illinois, to Miss Angelica Gear (who died in 1873)—settled at once in Burlington—in 1838 was made chief justice, holding that position until the State was admitted into the Union in 1847—after that by appointment of Governor Hempstead, the attorney for our state in the settlement, by the Supreme Court of the United States, of our Southern boundary—then a commissioner to prepare (with Hempstead and Woodward) the code of 1851—in 1853 made commissioner of patents which place he held until 1857—then a member of our State board of education, provided for under the new constitution, and judge of Des Moines county—dying February 25, 1882, at his home in Burlington, near and in which place he had so long resided. Though from 1857 he was out of public life he was by no means inactive, but on the contrary prominent as a writer and author upon topics scientific and otherwise, connected with every movement looking to the advancement of his city—a leader in State and Nation in the struggles of the party of his choice for success, and retained in much important litigation, not in Iowa alone, but in other States, east as well as west, so that almost to the time of his

death he was a busy man, his latter years if not so prominent as an official, none the less useful and helpful, nor the less admired by his family and friends.

Thus you will see in brief how active his life, what a prominent part this young man—settling in this new land before it had a separate existence—bore in shaping its policies and giving us our proud name. For a little more than forty years, when health permitted, he was a marked figure every day in some line, judicial, political, literary, scientific or business, and faithful to every trust, high or low, with a heart as tender as it was big, and a mind incisive, aggressive and ever on the side of truth and justice. Few if any men in Iowa made a more lasting impression in so many ways, by so many avenues, upon our early history; and few will be longer remembered by those who knew him or who will in after years consult our records, judicial or otherwise. I knew him well from April, 1841, when I was admitted to practice at a term then being held by him at Fairfield. If asked to state some of his characteristics I would say first, that he was a simple-hearted, honest and just man. He never toyed with wrong or bad habits. With an inflexible will he marched courageously to his conclusions, utterly indifferent to so-called technicalities, or as to who might be pleased or offended. Passionately fond of investigating every avenue of science, religion, and the whole field of advanced thought, and what he esteemed for the well being of his fellows, his mind was nevertheless a judicial one. He was a reticent man, not given to much talking, with a mind as pure as an infant's, and I doubt if he ever indulged in an impure thought. As I have stated elsewhere, he was a little awkward, and yet, owing undoubtedly to his military education, always manly and dignified in manner. Of his aggressive nature you will find abundant evidence in the report of the commissioners accompanying the code of 1851. In these you have absolute



demonstration that he was never a laggard, but ready to innovate upon established laws, and to strike into new paths however much he might be resisted by others. You will find, to say no more, that accepting the, to him, one great thought that women possess the same inherent rights that men do, he, on his own responsibility, recommended the most comprehensive legislation touching the rights of the wife to separate property, and the protection of that right, recommendations which even at this day after a lapse of more than forty years would strike the moss-covered legislator with alarm and be accepted with hesitation by even some of the most advanced thinkers on this subject. I know, too, that he was prepared for suffrage for women on the same terms as for man; that side by side with David D. Field he took the most radical ground in favor of codification in all branches of the law, and in many ways advocated reforms which would even now be regarded as unwarranted innovations. It may well be doubted if he had an equal in his disposition to investigate and develop new thoughts upon every subject, political, judicial, scientific and social.

I only add in this connection, that unerring in his judicial instincts, he was apt, as already intimated, to strike with the greatest directness to the marrow, the very heart of the matter before him. A friend to humanity—of liberty in its broadest sense—of right in all its strength and beauty—of justice in its most exalted form—he was hence so equipped that in his hands the law was gradually unfolded in its perfect symmetry and so magnified as to command the respect of all classes and conditions of men.

And finally, before I perform the formal but pleasant duty of delivering this conspicuously perfect work into your hands, I remark that though the great body of those around the chief justice and associated with him in developing this new land (for the new territory was not a creation but a growth), men, as already suggested, alike inex-

perienced, and though they differed from him as from each other as to methods in legislation and otherwise, they were nevertheless grand and noble men, whose lives I shall never cease to admire, their memories to revere. For to say no more, I admire them because I look over our constitutions and statutes and there find the impress of their minds—I turn the leaves of journals, the tomes innumerable found in the inferior, intermediate and appellate courts of the State—examine our vast alcoves and receptacles, containing public records, and there see the results of their labors, the evidences of their industry. I look around and see our common schools, our higher institutions of learning, our churches, public buildings of every description, and find in them noble monuments of their liberality, their public spirit, their aid in the educational, religious and moral upbuilding of the State—I inquire for the master spirits who pioneered us through the early days and struggles of a frontier life and find these men, the compeers of the first presiding officer of this court, with him ever in the van, ready to do and doing their whole duty. I think also of the more than 80,000 men loyal to their State, who defiled from our hearthstones in defense of their country and their bright record in military annals, and rejoice that Hugh T. Reid, Samuel R. Curtis, M. M. Crocker, Samuel A. Rice, and scores of others whose names I cannot take time to mention, who, while honoring their profession, were the synonyms of all that was true, patriotic, brave, devoted, honorable and deserving. And I look to the proud position Iowa occupies to-day in the sisterhood of States, our freedom from debt, the wisdom of our laws, the high character of our judicial and other officials, our advancement and progress, our love for and devotion to the Union, and rejoice that while not disparaging others, I can justly attribute much of all this to the untiring energy, active co-operation and public zeal of the early bar, (and among them, not by any means the

least, the two grand men, W. H. Seevers and James F. Wilson, whose lives I am glad to know are to be suitably commemorated in your presence this afternoon,) largely influenced, if not led by the noble man whose portrait is soon to be placed in your keeping. So, as I repeat these things, because of such a record, I do honor the memories of these men, love to think of the "old guard," and recognize most gladly their helpful influence in giving us a State so prosperous, influential and truly great.

For the portrait about to be unveiled we are largely indebted to the active efforts of Mr. Charles Aldrich, whose years of labor in the work committed to his hands are only equalled by his love for the State and the success of his department.

It comes to us from the hands of his daughter, a native of Iowa, as devoted to its good name as was her father. Then, as we shall look at the face and think of the artist from whose studio it comes we shall be led to say, that often "truth is stranger than fiction." A poor and friendless boy in Iowa City, more than half a century since, exhibiting, however, in his humble way undoubted genius as an artist, attracted the attention of Judge Mason, and being unable to obtain an education without aid, this good man (ever the friend of the poor and worthy) voluntarily and generously sent this boy, George H. Yewell, to New York City, then to France, Italy and Germany, paying all his expenses, and in time I need not say, for his fame is national and world-wide, he fully justified the judgment of his patron, and now in the maturity of his years and the ripeness of his genius gives to the daughter and State a work which, as you will see, almost speaks for the original, and as I believe, as some one else has said, embodies not the brains alone but the loving heart of this ever-grateful boy, who, in the fullness of his fame, owes so much to his noble patron and friend.

Here, at the touch of Captain I. W. Griffith of Des Moines, the American flag, with which the portrait was draped, fell to the floor. Captain Griffith was a soldier in the Mexican war, losing his right arm at the battle of Churubusco. He also served as bailiff in Judge Mason's court. Judge Wright concluded his remarks as follows:

And now deputed thereto by Mrs. Mary J. Remey, the daughter, and the husband, George C. Remey, I deliver this admirable portrait into your care, as the property of the people of this State. These children regret exceedingly their inability to be present—she writing: "The presentation of his (my father's) portrait to the State of Iowa, has long been a cherished wish of mine. \* \* \* It will give me great pleasure to know that my tribute to his revered memory has been given to and accepted by the State to which he was so greatly attached. \* \* \* Nothing would give us greater pleasure than to be present." In their behalf let me ask you to keep it sacredly as you value his memory, as you honor that profession and tribunal which he so honored, and thus in some small degree assist in preserving for future generations and keeping constantly before them the name and fame of one who took so large a share in giving us a State and institutions of which we are all so justly proud.

General George W. Jones, of Dubuque, spoke briefly but eloquently of Judge Mason's early life in Iowa Territory, of his appointment as Chief Justice, of his high culture and many noble qualities, but his remarks were not reduced to writing or reported, and we are therefore unable to present them here.

In accepting the portrait on behalf of the State and the Supreme Court, Justice L. G. Kinne said:

GENTLEMEN OF THE BAR OF IOWA: The occasion of the unveiling and presentation to the State, through this Court, of a portrait of the first chief justice is one of historic importance. As the gift of the daughter of the late Chief Justice Mason, it is a fitting and tender tribute to one whose mature years were largely spent in its service, and whose history has become the proud legacy of this commonwealth and its people. Additional interest surrounds

I, Charles Mason, do solemnly  
swear that I will support the Con=  
stitution of the United States, and well  
and faithfully execute the trust com=  
mitted to me, as Chief Justice of  
the supreme Court of the Territory  
of Iowa.

Charles Mason

Sworn to & Subscribed  
before me this 23<sup>d</sup>  
of July AD 1838,  
Wm. Bloomer  
Sec of the Territory  
of Iowa.

Fac simile of Judge Mason's oath of office. The original is in possession of  
the Historical Department of Iowa.





these ceremonies when we remember that the artist in painting this portrait was performing a labor of love to one who had befriended him, and made his future success and fame possible by tendering him substantial aid and encouragement at the beginning of his professional career.

As we look upon the portrayal of the features of Judge Mason, as we contemplate his work and worth, as we remember his services as a jurist and in other capacities, for the Territory and State of his adoption, we shall more fully appreciate them, and be the better able to give a just judgment as to their effect upon our State and its jurisprudence.

It is not my purpose to speak of Chief Justice Mason's private life, of his social qualities, of his family relations; these have been fully considered by those who enjoyed a personal acquaintance with him. It is of his public and official character that I shall briefly speak.

Before, however, proceeding to discharge this duty it is due to Judge Mason that his position during the war of the rebellion should forever and authoritatively be set at rest. His loyalty during that trying period was once publicly questioned, but without cause, and thus has a great injustice been done to this exemplary official and loyal citizen.

In November, 1886, there appeared, from a correspondent, in the *Saturday Evening Post*, of Burlington, a reference to Judge Mason, in which it was said that but for his love of Jefferson Davis he would have entered the Union army. This article, coming to the notice of Ex-Senator Harlan, he addressed a letter to the editor, the original of which is now before me, and which may be seen in the Iowa Historical Department, wherein he says: "Soon after the commencement of the war of the rebellion Judge Mason tendered his services to the Secretary of War, in any position in which it might be thought he could be useful. I personally know that this tender was

made. The Judge's letter making it was addressed to me at Washington, and no doubt the letter itself is on the files of the War Department. \* \* \* It impressed me at the time as singularly modest, coming from a man of his recognized eminence, and as patriotic as modest."

Senator Harlan's letter is lengthy and closes with a request that proper correction be made. In a letter of date December 19, 1894, Senator Harlan says he is not sure that this letter was published, and that "it is due the family that the facts should be known to the public." There can, in view of Senator Harlan's testimony, be no doubt that Judge Mason was a thoroughly loyal citizen of the republic.

Chief Justice Mason was an excellent example of judicial honor and integrity. Those who knew him personally unite in attesting that his was an honest life in every detail and respect.

Of him it may well be said:

"To his life has flowed  
From its mysterious urn a sacred stream,  
In whose calm depth the beautiful and pure  
Alone are mirrored."

When the Territory of Iowa was organized Judge Mason was appointed Chief Justice of the Supreme Court, and served from 1838 until after the formation of the State government in 1847, resigning in June of the latter year. During these eight years or over the business of the court was small. Two hundred and twenty-eight cases only came before it, of these 221 are found reported in Morris, four in 1st Greene, and three in the Territorial report which are not to be found in Morris. It will be observed that the number of opinions written in over eight years was but a trifle in excess of those now written for a single term of this court. So rapid has been the growth in population, so multiplied and diversified the industries and necessities of our people, that litigation in a half century has so increased that during the present year this court will dispose of more than 550 cases.

Nevertheless, in the years of the service of Chief Justice Mason on the bench the foundations of jurisprudence in Iowa were laid. Questions of great importance were heard and determined, precedents were established which have been followed ever since. The work then of the court was exceedingly important in that it gave form and direction to all future adjudication. It was indeed fortunate at this juncture, that the Territory of Iowa had the benefit of a man at the head of its highest judicial tribunal possessing the legal learning, the literary accomplishments, and the broad general culture of Chief Justice Mason.

A slight idea of the character of the litigation before the court in these years, may be better appreciated if we refer briefly to some of the cases.

Judge Mason's love of liberty is shown in the first case which came before the court, which involved the liberty of one Ralph, a colored man, where it was held that if a slave with his master's consent became a resident of a free State he could not be regarded thereafter as a fugitive slave, nor could the master, under such circumstances exercise any rights of ownership over him. In that opinion the learned Chief Justice said: "But, when he (the master) applies to our tribunals for the purpose of controlling, as property, that which our laws have declared shall not be property, it is incumbent on them to refuse their co-operation. When, in seeking to accomplish his object, he illegally restrains a human being of his liberty, it is proper that the laws, which should extend equal protection to men of all colors and conditions, should exert their remedial interposition."

In *Gordon & Washburn vs. Higley*, Morris 19, it was held that a trial court might put in form a verdict of a jury—a doctrine ever since followed.

In *Powell vs. U. S.*, Morris 24, it was held that an arraignment of the defendant, in a criminal case, was necessary.

In *Bell vs. Pierson*, Morris 29, it was held that by appearance and pleading the defendant waived all defects in the process and in its service.

In *Ballard vs. Ridgely & Billon*, Morris 37, it was held that when a rule or decision relating to the remedy has been changed by statute, the new rule is applicable only to cases subsequently tried.

In *Maltby & Bolls vs. Cooper*, Morris 80, the doctrine was first announced that the statute of limitations may be made to take effect on an antecedent contract.

When we consider the meager libraries of those days, the lack of precedents upon which to base legal judgments, we may to some extent appreciate the difficulties surrounding the judges and the profession in the proper discharge of their several duties, and we can the better understand the meed of praise due to such judicial pioneers as Chief Justice Mason, who, largely without legal guide or compass were compelled to adjudicate questions which were important and intricate, and upon a proper solution of which to a great degree depended the future rights of persons and property, in what was within a half century to become a commonwealth of over two millions of people. Surely, one might well shrink from the performance such a task. But the broad culture and legal learning of Chief Justice Mason were equal to the faithful and proper performance of every duty, judicial or otherwise. His official life was marked with a steadfast adherence to duty, a clear conception of the right, a profound knowledge of legal principles and the ability to apply the law with unerring accuracy to the facts.

Greater if possible than his labors on the bench was the value of the service he rendered the State after his retirement, as a member of the commission which formulated the Code of Iowa in 1851. In this work he was the leader, and it may be doubted if a better or a more concise code of laws had up to that time been compiled in any State.



Time admonishes me that these remarks must close. This court, on behalf of the State he loved so well, and served with such signal fidelity and ability, accepts the portrait of its first Chief Justice. It shall adorn the walls of this temple of justice, and may the strong and kindly features portrayed in this picture be an incentive to us, and those who may follow us, to emulate his virtues, to adorn the bench as did he, and to leave to posterity a life without spot or blemish, so that at its close it may be said of us as we can now truthfully say of him:

“His life was gentle and the elements  
So mixed in him, that Nature might stand up  
And say to all the world—This was a man.”

It is ordered that these proceedings be made of record.

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To study history is to study literature. The biography of a nation embraces all its works. No trifle is to be neglected. A mouldering medal is a letter of twenty centuries. Antiquities, which have been beautifully called history defaced, composed its fullest commentary. In these wrecks of many storms, which time washes to shore, the scholar looks patiently for treasures. The painting round a vase, the scribble on a wall, the wrath of a demagogue, the drollery of a farce, the point of an epigram, each possesses its own interest and value. A fossil court of law is dug out of an orator; and the Pompeii of Greece is discovered in the Comedies of Aristophanes.—*R. A. Willmott.*

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What is public history but a register of the successes and disappointments, the vices, the follies, and the quarrels, of those who engage in contention for power? — *Archdeacon Paley.* --

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A true delineation of the smallest man is capable of interesting the greatest man.—*Carlyle.*

## INDIAN TRIBES IN IOWA BEFORE 1846.

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BY DR. J. L. PICKARD.

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The Territory first known as Iowa embraced all that is within its present limits and a large part of Minnesota—the St. Peters River being its northernmost limit. If, as it is claimed by some, Iowa means “Beautiful Land,” the fact must have suggested the name. A broad expanse of billowy land, washed upon either side by navigable rivers, its crests a feeding ground for immense herds of buffalo and deer, its hollows the nestling place of lakelets filled with choicest fish—the lakelets strung like pearls upon silvery cords over which canoes could glide, lakelets and streams set in a rich framework of trees and shrubbery, a covert for the more timid wild animals and a nesting place for wild fowl—such an expanse was indeed an ideal hunting ground for the Red Man.

Paleontologists tell us that as the “ice age,” which for time unknown held this territory in its grasp, yielded its sway, close upon its glacial border there lived a race of low-statured, low-browed men—similar to, perhaps identical with, the Esquimaux of the far north. A race superior to them followed them in their northward movement, and left in mounds and in the relics deposited therein evidences, in some degree, of civilization equal to that of the Aztec race. Such mounds are found in the northern and eastern parts of Iowa, though less numerous than in portions of the Mississippi Valley farther eastward.

The “Mound Builders” were not permitted to retain occupancy of their rich possessions, after the eyes of wilder



*J. L. Pickard 1893*



and more energetic tribes had rested upon them. Savage hordes from the great Algonquin family poured in by the way of the river St. Lawrence and the great lakes. A still more savage horde of Dacotahs (Nadesioux, Sioux) crossing the Rocky Mountains poured down the tributaries of the Missouri and the Missouri valley. Both streams were checked as they met upon the Upper Mississippi and turned southward. The Algonquins, moving west rapidly, flanked the Sioux and crossed the Mississippi covering the territory south of a line extending from the mouth of the Little Iowa river to the mouth of the Calumet (Big Sioux) river.

That the Mound Builders did not surrender their lands without attempted defense is shown by a line of ruined fortifications, a notable instance of which is seen in Aztalan (Aztecland?) Wisconsin.

The Dacotahs occupied that portion of Iowa territory now known as Minnesota and Northern Iowa. The Algonquins held possession of the remaining part of Iowa and of Northern Missouri.

At first rivals for the possession of the fair hunting grounds, the Dacotahs and the Algonquins at a later time became bitter foes.

It is useless to inquire when the change of occupancy occurred, or when the bitter enmity of the two hordes who had dispossessed the Mound Builders had its origin. It may have been centuries before the earliest records obtainable.

Icelandic records prove that Norsemen, fleeing from the tyranny of Harald, in the latter part of the ninth century, landed upon Iceland—that in the tenth century their descendants touched Greenland—that in the first years of the eleventh century a movement southward as far as Cape Cod was made—and that all along the Atlantic coast tribes of the Algonquin family were found.

Then comes a period of nearly five centuries of un-



broken silence. The Norsemen had *found* America, but it was left for Columbus to *discover* the Western Continent.

During the last years of the fifteenth century and the first years of the sixteenth century *discoveries* were abundant.

No part of the continent discovered was without inhabitants. The Red Men were in undisputed possession until the white men claimed title by discovery. Traffic with the Indians was so profitable that French traders pushed their way up the St. Lawrence—English traders moved inward from the Atlantic sea board—Spanish traders entered the trading grounds from the south and the west.

The trade consisted largely in furs and in fish—articles of greatest value in the colder regions. Hence most is known of the Algonquin Indians of the northeast, and of the Dacotahs of the northwest. To the tribes of these great families found upon Iowa soil we will now confine ourselves.

Of the Algonquin family the tribes known to Iowa history are Sauks, Foxes, Illinois, Pottawattamies, Ottoways and Chippeways.

Of the Dacotah family—Sissetons, Iowas, Winnebagoes, Osages, Ottoes, Missouris and Omahas.

#### ILLINOIS.

The first Indians seen by white men on Iowa soil, so far as records go, were Illinois. Marquette and Joliet descending the Mississippi river in 1673 saw, about sixty leagues below the mouth of the Wisconsin river, human footprints in the mud upon the bank. Following these tracks six miles back from the river, they found a band of Illinois, at a point probably west of Montrose in Lee county, on the Des Moines river.

After the failure of Pontiac's conspiracy, organized in the interests of France during the French and Indian war, he was assassinated by an Illinois in 1769. His followers, chief among them Sauks and Foxes, waged a war of extermination against the Illinois and after 1803 the tribe was virtually extinct.

#### DACOTAHs. (NADESSIoux, SIOUX.)

Father Hennepin was held a prisoner by Dacotahs for five months in 1680 and formed the acquaintance of De Luth.

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#### IOWAS, (AIOUEZ.)

In 1700 Le Sueur reports seeing some of this tribe accompanied by Winnebagoes in the Blue Earth region, now Southern Minnesota. They had a tradition that long before the coming of the French they had left the Sioux family and were residing upon Lake Pepin—that while there the Winnebagoes, the Omahas and the Missouris, seceded and organized distinct bands; the Winnebagoes remaining near them, the Omahas and Missouris going southward and occupying western and southern Iowa, extending also into Missouri and Nebraska.

A band of Iowas passed southeastward and was found near Peoria in 1775, but the main body came down the Rock river with the Winnebagoes and then passed down the Mississippi river to the mouth of the Des Moines river, stopping for a time in what is now Davis, Wapello and Van Buren counties, they moved across to the Missouri river, up that river to Mandan Village, then returning down the Missouri river they crossed southwestern Iowa and northern Missouri to the mouth of Salt river, then passed up the Mississippi and Des Moines rivers and had headquarters in Mahaska county.

## SAUKS AND FOXES.

These tribes, closely related, moved westward before the French (to whom they were then inimical), were pressed southward by the Ottaways and Chippeways who were in alliance with the French, and by the Sioux who were bitter enemies to all the Algonquin tribes; and about 1734 they crossed the Mississippi somewhere between Prairie du Chien and Dubuque. They then held territory upon both sides of the Mississippi, the Sauks being largely upon the eastern side, the Foxes calling themselves Musquakies, holding the lands about the lead mines of Dubuque, part of which they sold to Julian Dubuque in 1788. The Sauks crossed the Mississippi and established villages at the head of the Des Moines Rapids in Iowa and near the mouth of the Upper Iowa river. So Lieut. Pike (U. S. A.) reports in 1805. He also reports villages of Foxes twelve miles west of Dubuque, near the mouth of Turkey river, and six miles above Rock Rapids on the Iowa side.

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MANDANS.

By tradition they were driven out to sea from the coast of Wales and were landed within the Gulf of Mexico and passed up the Mississippi river and the Missouri river among the Sioux. They showed a higher degree of civilization than the Sioux by the structure of their huts and by the permanence of their abodes.

Having thus far touched briefly upon all that can be gathered from tradition and from reports of travelers previous to the acquisition of Louisiana Territory from France, we are able to tread upon firmer ground in following the course of treaties made between the United States and the Indian tribes upon Iowa soil.

For convenience of treatment three distinct periods of treaty-making are noted:

1. From the Revolution to the War of 1812.
2. From the War of 1812 to the Black Hawk War.
3. From the Black Hawk War to 1846.

Each of these periods will be followed in considering,

1st, The Algonquin Indians.

2d, The Dacotah or Sioux Indians.

The Iowas and the Winnebagoes, originally of the Sioux family, are found in such close alliance with the Algonquin family that they may be considered as virtually belonging to the latter.

#### FIRST PERIOD, 1778-1812.

The first movement westward is seen in a treaty Jan. 21, 1785, by which Ottaways and Chippeways agree to their eastern limit—as a line nearly due south from the mouth of the Cuyahoga river in Ohio.

Jan. 9, 1789, Pottawattamies and Sauks accept the same boundary.

August 3, 1795, Ottaways, Chippeways and Pottawattamies, join other tribes (with whom they had made common cause in western Ohio and had been defeated by General Anthony Wayne) in a treaty of confirmation of the eastern boundary previously fixed, of cession of several small reservations, and of grant of right of way to the United States either by land or water through their lands for the purpose of connection of the various military posts at Detroit, Fort Wayne, and as far west as the Mississippi river at the mouth of the Illinois river.

By treaty of Nov. 3, 1804, ratified Jan. 25, 1805, the Sauks and Foxes cede to the United States their lands east of the Mississippi river, retaining the privilege of residence until these lands should be sold to settlers. When thus sold the Indians are to remove west of the river, joining those of their tribes already upon Iowa soil.

Peculiar features of this treaty need brief explanation, since portions of the allied tribes under Black Hawk

always denied its validity, and made it a part of the causes leading to the Black Hawk War. It was the custom of the tribes, either by vote to instruct their delegates in advance of their action, or to confirm by subsequent vote any actions had outside of their instructions. The delegates sent to St. Louis at the time of this treaty had definite instructions as to their duty, among which cession of lands was not included. The Black Hawk followers refuse to confirm this unwarranted surrender of their lands, but in 1815 and again in 1816 consent to a confirmation of the treaty. During this period no treaties are made with the Sioux.

#### SECOND PERIOD, 1812-1832.

During the war with Great Britain, nearly all the tribes of the Algonquin family and of the Sioux family joined with Great Britain.

Part of the Sauks separate themselves from the allied tribes of Sauks and Foxes out of friendliness to the United States and remove to the Missouri River. By treaty of September 13, 1815, they agree to remain apart from the Sauks of Rock River, if paid their share of annuities promised by the treaty of 1804.

During the war the Sauks and Foxes appear to have dissolved their alliance, since the Foxes make a separate treaty of peace September 14, 1815, affirming their loyalty and confirming the treaty of 1804.

The Sauks of Rock River refuse to surrender their fealty to Great Britain after the treaty of Ghent, until May 13, 1816, whereby they make peace with the United States, confirm the treaty of 1804 and surrender stolen property.

The Sauks and Foxes reunited enter into a treaty August 4, 1824, whereby they cede to the United States the lands given the loyal Sauks, also all lands in northern



Missouri, except the "Half Breed Tract" in southeastern Iowa between the Mississippi River and the Des Moines River, then in Missouri.

August 19, 1825, a general council is called at Prairie Du Chien, at which appear representatives of Sioux, Sauks and Foxes, Winnebagoes, Ioways, Ottaways, Chippeways, Pottawattamies and Menominies. Its purpose was to bring about a cessation of internecine wars carried on by rival claimants for the same territory.

The treaty made fixes a boundary line between the warring Sioux and Chippeways, also a line separating the Sioux from the Sauks and Foxes and Ioways. The latter line especially concerns the Iowa Indians. Beginning at the mouth of the upper Iowa river, it crosses the fork of the Red Cedar river in Black Hawk County, thence proceeds to the upper fork of the Des Moines river in Humboldt County, thence to the lower fork of the Big Sioux river in Plymouth County, thence down the Big Sioux to the Missouri river in Woodbury County. (The line from the fork of the Des Moines westward is made dependent upon the consent of the Yankton tribe of the Sioux, which consent is given in 1830). The Sauks and Foxes, chief claimants of the territory south of the above line, consent to the joint occupancy with them by the Ioways until such time as a proper division can be made. This division seems never to have been effected, but the Ioways gradually move westward, and near the close of this period they are found in south-western Iowa and upon the west side of the Missouri river. The Ottoes, a Sioux tribe, are granted the right to remain upon the south of the dividing line.

In 1828 President Adams proclaims lands east of the Mississippi river open to settlement, and orders the Sauks and Foxes to remove west of the river, according to treaty of 1804.

After five years experience of the futility of the attempt to separate hostile tribes by an imaginary line, and after a succession of troubles especially between the Winnebagoes and adjoining tribes, a treaty is made July 15, 1830, between the United States and the parties to the treaty of August 19, 1825, whereby the Sauks and Foxes and Ioways cede to the United States all lands south of the line of 1825 and west of a line drawn from the fork of the Des Moines river, extending largely along the ridge separating the valley of the Des Moines from the valley of the Missouri to the northern line of Missouri, with the understanding that tribes residing thereon should not be disturbed, and with the further understanding that other tribes might be located thereon at the pleasure of the United States. The Sioux cede to the United States a strip of land twenty miles wide, extending upon the north of the line of 1825 from the Mississippi river to the Des Moines river. The Sauks and Foxes and Ioways cede a like strip upon the south side of the said line between the same terminal points. This strip of land, forty miles in width, is designated as "Neutral Ground." In the early years of this period many treaties of peace and friendship are made with all the tribes occupying Iowa territory.

In 1819 the hitherto peaceful relations subsisting between the Sauks and Foxes and Ioways are rudely broken by the treacherous murder of a young Ioway by a Sauk, while hunting together. May 1, 1823, hostilities culminate in a battle near Iowaville, which resulted in the utter defeat of the Ioways, and they gradually move westward, tarrying for a time in Mahaska and neighboring counties. Before the close of the period the Sauks and Foxes had removed to the west side of the Mississippi; Black Hawk, however, had never been reconciled to the removal and returns in 1832 to cultivate the lands upon Rock River.

## THIRD PERIOD, 1832-1846.

After the planting Black Hawk starts upon a visit to his friends, the Winnebagoes. His surly mood had aroused the white settlers of Illinois, who organize a force against him, and in a brief campaign known as "The Black Hawk War," defeat his band and take their chief a prisoner through the treachery of his Winnebago allies. Public and private reasons Black Hawk urges for his course, which a calm judgment may in part approve. At the close of the war the Sauks and Foxes by treaty of September 21, 1832, cede to the United States a strip of territory beginning at a point upon the southern boundary of the "neutral territory," fifty miles from the Mississippi river, thence proceeding at about an average distance of forty miles from the river to a point on the northern boundary of Missouri fifty miles from the Mississippi river, thence in direct line to the river, thence by the river to the boundary of the "neutral territory," thence to the point of beginning, reserving a tract of four hundred square miles about "Keokuk Village," to be laid out in as nearly equal portions as possible upon either side of the Iowa river, also a section of land for Antoine Le Claire opposite Rock Island. September 27, 1836, Sauks and Foxes cede all the lands then held in north-western Missouri. Upon the next day they surrender the "Keokuk Village" reservation, and agree to allow to the Ioways their just share of the moneys received under the treaty of September 21, 1832.

October 31, 1837, a tract of land containing about 1,250,000 acres is ceded, lying between the land ceded September 21, 1832, and a straight line connecting the northwest and the southwest points of the cession of 1832. This line is just west of the western boundary of Johnson county. By treaty of October 11, 1842, the Sauks and Foxes cede all their lands in Iowa, reserving the right to hunt for three years upon lands west of a line

running north and south within eight miles of the junction of the White Breast Fork with the Des Moines River, not far from Fort Dodge.

October 19, 1838, the Ioways cede all their lands in Iowa. At this time they outnumbered the Sauks and Foxes and were in a good degree civilized.

September 15, 1832, the Winnebagoes cede lands in Wisconsin and Illinois and are granted a portion of the "neutral territory," containing 1,600 square miles. November 1, 1837, they surrender the eastern half of their lands in "neutral territory." In 1846 they accept lands upon the St. Peter's River in Minnesota and remove thither. The Pottawattamies come into Western Iowa between the years 1832 and 1835, and with the allied Ottaways and Chippeways, are given 5,000,000 acres in southwestern Iowa. In 1837 they accept lands west of the Missouri River and remove before 1846.

October 21, 1837, the Yankton Sioux, who were not a party to the treaty establishing the line of separation of August 19, 1825, surrender their claims to lands south of that line. When Iowa was admitted to the Union the main bodies of Indians had removed to the west of the Missouri river, except the Sioux, who had not ceded any lands north of the line of separation of 1825, and the Winnebagoes who went north into Minnesota. A few roving bands of Sioux remain in northwestern Iowa, but they are not in good standing with their tribes. A small band of Foxes, or Musquakies as they call themselves, remain in Tama county and are granted lands by the legislature of 1856.

None of the various cessions sketched above were made without consideration. Cash in hand, annuities in money or merchandise, as preferred, investments bearing usually five per cent. annual interest, merchandise, blacksmith service, tools for cultivation of the land, domestic animals, teaching service, assumption of debts to

traders, gifts to half-breeds, and various other gifts to the tribes, expenses of removal, are in part or in whole considerations named. Trading posts were also established.

Frequent instances of the Indian remembrance of their white and half-breed friends appear in the reservations made from their cessions, as in "Half Breed Tract," in Lee county.\* Keokuk Village reservation in Wapello county. Le Claire reservation in Scott county, and the burial place of General Street near Agency City.

In the midst of treachery so commonly attributed to the Indian he still lives up to a code of honor. One instance may suffice. When the Ioway was treacherously murdered by a Sauk, Black Hawk found the criminal and was about to surrender him to the Ioways for punishment. Finding him too ill to go, a brother who offered himself as a substitute was accepted. In sight of the Ioway village Black Hawk dared go no farther, but the victim went on alone and surrendered himself. The Ioways were so struck with the magnanimity of the young brave, who was ready for the death which his brother had earned, that they released him and sent him back to his brother with a present of a pony.

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\* Made in honor of an army surgeon who had surrendered his commission rather than abandon his Indian wife.

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"I entertain an high idea of the utility of periodical publications: insomuch that I could heartily desire copies of the Museum and Magazines, as well as common Gazettes, might be spread through every city, town and village in America. I consider such easy vehicles of knowledge more happily calculated than any other to preserve the liberty, stimulate the industry, and meliorate the morals of an enlightened and free people."—Washington to Matthew Carey, June 25, 1788.



## ATTORNEY-GENERAL REMLEY ON THE DESTRUCTION OF IOWA LAKES.

STATE OF IOWA. OFFICE OF ATTORNEY-GENERAL.  
IOWA CITY, IOWA. JUNE 22, 1895. *Hon. Frank D. Jackson, Governor of Iowa, Des Moines, Iowa:* Dear Sir:—  
Your favor of the 19th, inst. at hand in regard to a petition of citizens of Green county in which you are asked to request the commissioner of the land office of the United States that he certify to the State of Iowa the swamp lands therein described, which application is based upon the provisions of the swamp land grant of September 28, 1850; it being also stated in your communication that, "in the surveys made by the Federal Government, the tracts in question were set apart and designated as meandered lakes, and that since such survey said tract has been recognized as a meandered lake, and is so marked on the Federal maps and charts of the State." The affidavits of a number of citizens who live adjacent, accompany the petition, in which it appears that, except in the wettest of seasons, the bed of the tract is covered with a vegetable mould, and sandy black loam and muck to an average depth of about three feet. The affiants further testify that for a great many years there has been very little water covering said bed except in the spring, when it is filled by melted snow and occasionally by heavy rains. They also state, that "Search has been made for natural springs, but they have failed to find any."

You ask my opinion as to the advisability of complying with the request of the petitioners, and also that I convey to you my opinion as to the position to be maintained by the State in the event that said property is certified to as State land by the commissioner of the General Land Office.

The question presented is of great interest to the State, involving as it does, the right to the lake beds of the natural lakes of Iowa. To properly present my view, it is necessary to recall the history of legislation by which the United States became entitled to the public land.

Originally the Federal Government had no public land of any character. During the Revolutionary War, some of the states refused to ratify the articles of confederation proposed by Congress until provision was made for the cession of unoccupied lands to the Federal Government. The Maryland legislature, by resolution adopted September 5, 1778, declared that it would not accede to the Confederation, unless there "was secured to the United States a right in common, in and to all lands lying to the westward of the frontiers," and "extending to the Mississippi or the South Sea in such manner that said lands be sold *net, or otherwise disposed of for the common benefit* of all the states, and the money arising from the sale of these lands may be deemed and taken as a part of the money belonging to the United States, etc." The charters given to the Colonies, in many instances, made the western boundary very indefinite. The Virginia charter contained a grant of land, "from sea to sea, west and northwest." Under this, the Colony of Virginia, claimed all the territory lying northwest of the Ohio river, certainly, and had an indefinite claim to that extending beyond, even to the Pacific Ocean. In September, 1780, Congress, considering the remonstrances of Maryland, and an act of the Legislature of New York on the same subject, passed a resolution, "earnestly recommending to the several states who have claims to western country, to pass such laws and to give their delegates in Congress such powers as may effectually remove the only obstacle to a final ratification of the Articles of Confederation."

On January 22, 1781, the General Assembly of Virginia resolved, "that upon the ratification of the Articles

of the Federal Union, this commonwealth will yield to the Congress of the United States, the right, title and claim that said commonwealth hath to the lands northwest of the Ohio river, upon the following conditions." One condition was that new states should be formed, and that states so formed should be distinctly republican states, and be admitted to the Federal Union, "*having the same rights of sovereignty, freedom and independence as the other states.*" Another condition was that all the lands within the territory conveyed, "shall be considered as a common fund for the benefit of the United American States—according to their respective proportions in the general charge and expenditures, and shall be faithfully and *bona fide* disposed of and for that purpose and for no other use or purpose whatsoever." Hening's Statutes at Large (Va.) Vol. 10, page 564. These conditions were expressly approved by resolution of Congress, September 13, 1783.

In December, 1783, an act was passed by the General Assembly of Virginia, authorizing the delegates in Congress to execute a deed of conveyance to the United States of the territory upon the terms and conditions expressed in the resolution above referred to. Hening's Statutes at Large, Vol. II, page 328. In March, 1784, Thomas Jefferson, S. Hardy, Arthur Lee and James Monroe, the delegates of Virginia in Congress, executed the deed of cession, and it refers to and makes a part of such deed, the acts of the General Assembly of Virginia referred to and granted the territory, "to, and for the use and purposes and on the conditions of the said recited Acts." The State of Georgia, on substantially the same conditions, ceded lands to the Government of the United States; likewise New York. The treaty by which Louisiana was purchased from the French Republic has been construed to embrace substantially the same provisions.

This leads to an examination as to what rights the Federal Government acquired in and to the land thus

ceded. The Federal Government was given municipal jurisdiction until new states should be formed which should be sovereign states. It also held the title to the lands which should be sold and disposed of for the benefit of the states. The Federal Government became thereby, the trustee of municipal jurisdiction, also the owner of the land in trust. When a new state was formed and admitted to the Union, the trust imposed by the deed of cession in regard to the municipal jurisdiction, was fully executed, and new states became vested with all the rights and authority of sovereignty. When what was recognized as lands, *i. e.*, as distinguished from bodies of water or rivers, which in all time have been considered as public property, were sold and disposed of, and the proceeds turned into the treasury of the United States, that trust was likewise executed.

In *Pollard's lessee vs. Hagen*, 3 Howard, 219, the Supreme Court of the United States announced the views herein expressed and decided that the United States holds public lands within the new states, "by force of the deed of cession, and the Statutes connected with them, and not by any municipal sovereignty which it may be supposed they possessed."

The State, as a sovereign, is the owner of the shores of navigable waters below high water mark, and the soil under them. The conclusion of the Supreme Court in the case referred to is, that "the shores of navigable waters and the soil under them were not granted by the Constitution to the United States, but were reserved to the States respectively." It also held, "The new States have the same rights, sovereignty and jurisdiction over this subject, as the original state."

In *Martin vs. Waddle*, 16 Peters, it was said, "when the Revolution took place, the people of each State became themselves sovereign, and in that character, hold the

right to all their navigable waters and the soil under them for their common use, subject only to the rights since surrendered by the Constitution."

I might say that the subject of litigation in the Pollard case was reclaimed land in Mobile Bay, one party claiming under the grant from the State and the adverse party claiming under a grant from the government of the United States. The title granted by the state was upheld.

Our own Supreme Court has held that the State has complete and absolute property from high water mark to the middle of the channel of the Mississippi river, and holds it for public uses, subject to the power of Congress to regulate commerce among the several States and with foreign nations. *McManus vs. Carmichael*, 3 Iowa, 1. *Haight vs. City of Keokuk*, 4 Iowa, 299.

These decisions have been followed by a number of cases since. The decisions of the Iowa court are expressly approved by the Supreme Court of the United States in *Barney vs. Keokuk*, 94 U. S., 324. It is also held that inland waters, *i.e.* waters lying wholly within the State, which have no connection with navigable waters leading to other States, are wholly within the control of the government of this State. *Veazie et al. vs. Moor*, 14 Howard, 563.

When the government of the United States surveys the land and its agents or surveyors meander the lakes and return the plats which are approved by the proper department of government and disposes of all the land with reference to the plats, its interest in the land or soil ends. The lands are sold with reference to the lakes. The purchasers as part of the people in the State, acquire a right to use the lake in common with other people of the sovereign State. When the lands are thus disposed of the trust reposed in the United States is fully executed. The government retains no property or interest in the waters of the State, except such as may be public highways for inter-state commerce. No municipal sovereignty being re-



tained by the United States, the soil under the bed of the lake up to high water mark becomes the property of the State as the sovereign for the use of the public. When, under the change of circumstances, a lake becomes dry, I can conceive of no principle by which the State would lose its right and title to the lake and the property therein revert to the United States. In no instance that I have been able to discover has such a claim been made by the general government.

In the case of *Hardin vs. Jordan*, 140 U. S. Rep. 371, decided by the Supreme Court of the United States in May, 1891, this subject was again reviewed, and the principles herein expressed are reaffirmed by the highest court. It is said by the court, "Such title, being in the State, the lands are subject to State regulation and control, but on the condition, however, of not interfering with the regulations which may be made by congress with regard to public navigation and commerce. The State may even dispose of the usufruct of such lands, as is frequently done by leasing oyster beds in them and granting fisheries in particular localities, also by the reclamation of submerged flats and the erection of wharves, etc. Sometimes large areas so reclaimed are occupied by cities and are put to other public and private uses, such control and ownership therein being supreme." In this case, the court recognizing the authority of the State over and its right in the soil under the rivers, determines the right of individual claims according to the laws of the State. It also holds that a grant of land extends only to high water mark and any rights of riparian owners below high water mark depend upon the laws of the State. That being a case from Illinois, the right of a riparian owner was determined by the law recognized by the Supreme Court of Illinois which differs from the Supreme Court of Iowa. *Noyes vs. Collins*, 61, N. W. Rep. 250.

The question of the ownership of the State in lands, formed after the survey and sale of government land, is not wholly a new one in Iowa. In 1882 the legislature authorized the sale of an island newly formed in the Mississippi river near the Iowa shore. Chapt. 143, Acts of the 19 G. A. What difference is there in principle between land formed by the action of the water forming an island and land formed by the subsidence of the water?

My conclusion from the cases referred to and many others, is that the title to the land below high water mark of the lakes of Iowa, is in the State.

The question arises whether this title passed under the swamp land act referred to. I think not. The lakes which were meandered and platted as lakes, were not treated as land to be sold or disposed of, but were recognized as lakes. After the formation of the State government the title to the lakes and soil under them, and shores to high water mark, was vested in the State. The land which passed under the grant which is called the swamp land act, is such as was then recognized as swamp land. Land that was not swamp land at the time of the grant would not pass with the grant. To so pass, the land must be within what is termed the "call of the deed" or act. The fact that the land which was dry land at the time of the act afterward became swampy would not bring it within the purview of the grant; so, if what was recognized as water or lakes, afterward became dry land, that fact would not make it pass with the grant. To illustrate, it would hardly be claimed that the land occupied by Spirit Lake, the largest of our lakes, is swamp land. If fifty years from now, by a subsidence of the water, it should become swampy, that fact would not make it pass by an act of Congress enacted one hundred years before the subsidence of the water. The grant is one *in praesenti*, passing title to the lands therein described from its date. *Wright vs. Roseberry*, 121 U. S. Rep. 488.

Hence I cannot agree with the idea that the lakes of Iowa pass to the State by virtue of the swamp land act, but am well satisfied they belonged to the State from and after the formation of the State government by virtue of its right as sovereign. There may be instances of lakes along the rivers which were practically overflow lands, and there may be exceptions to the rule, but I think that the rule is as above stated.

This being the case, I am of the opinion that it would not be advisable for the Governor to comply with the request of the petitioners from Greene county. If the position is correct, it would not be his duty to do any act tending to disparage the title of property belonging to this State, and any act which he might do, unless it is under the authority of the statute, would be null and of no effect. So would any patent issued by the commissioner of the general land office of the United States.

Replying to the latter part of your communication, I would say that in my judgment, the policy of the State should be to maintain all the lakes of Iowa in their original extent and beauty as far as it is possible to do so. To convert the many beautiful lakes of Iowa into fields for cultivation, appears to me to be utilitarianism run mad. The State has more than poetic interest in such lakes. From the report of the Secretary of State, Land Office Department, 1893, it appears that there were approximately 61,248 acres of land covered by lakes in Iowa as shown by the plats. Frequent inquiry comes to my office as to how a title can be procured to one or more of these lakes, or lake beds. Some even have inquired as to the means of acquiring title to part of the Des Moines river bed. If by any means the lakes of Iowa can be preserved, it should by all means be done. Private interests will, undoubtedly, in many cases, seek to drain them, and I understand that some few have been already drained. I cannot think this is good policy, or for the best interests of the State.

If the duty of protecting the lakes from spoliation, building dams when needed to retain the water, and their general oversight were committed to some officer of the State, or Commissioner, much might be done to preserve these sheets of water of Iowa in their pristine beauty. The matter is, in my opinion, of sufficient public interest to have the attention of the legislature called to it.

If, by reason of circumstances, it is impossible to preserve a lake, the legislature could make such provision for the disposal of the lake-bed as its wisdom would determine to be for the public interest.

Yours respectfully,

MILTON REMLEY, Attorney General.

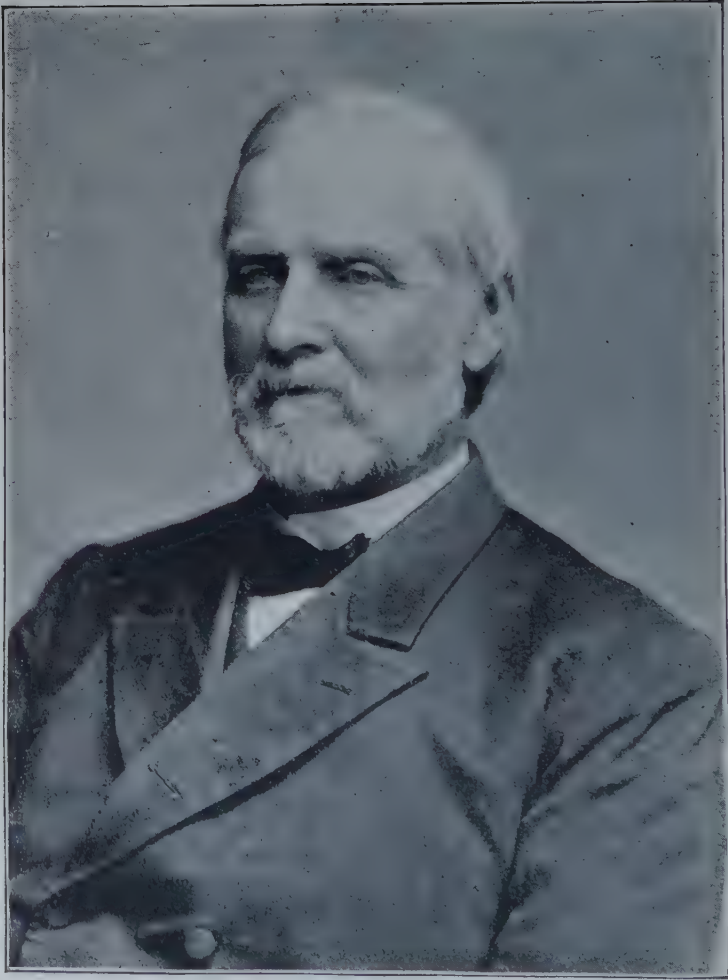
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The Des Moines *Daily Capital* calls the State Library "a vast literary storehouse;" and then dwells in detail upon the magnificent collection of periodical literature to be found there. According to the showing made by *The Capital* the Library is more than a credit to the State; it is a crowning honor. Every city in Iowa, and every town with a population exceeding 1,000, ought to have a free public library as creditable to its locality as the collection at Des Moines is to the State. Rightly conducted and freely patronized, the public library is the poor man's university, and one in which age and youth can find the best instructors at all times.—*Davenport Democrat*, July 7, 1895.

Caroline Louise Dodge, daughter of N. P. Dodge of Council Bluffs, has won the degree of LL. B. in the law department of the University of the City of New York, graduating last week with such high honors that she was selected as one of the best twelve to compete for a prize in an oral examination before three of the prominent attorneys of New York City. Miss Dodge is the first Council Bluffs girl to be admitted to the bar.—*Omaha Bee*, June 23, 1895.







Yours Truly  
Wm. Casady

## THE NAMING OF IOWA COUNTIES.\*

BY HON. P. M. CASADY.

In 1834 the territory west of the Mississippi river was attached to Michigan Territory. In the acts of the Territorial Legislature we find the following:

AN ACT to lay off and organize Counties west of the Mississippi river.

SECTION 1. Be it enacted by the Legislative Council of the Territory of Michigan. That all that district of country which was attached to the Territory of Michigan, by the act of Congress, entitled "An act to attach the territory of the United States west of the Mississippi river, and north of the the State of Missouri to the territory of Michigan," approved June 28, 1834, and to which the Indian title has been extinguished, which is situated to the north of a line to be drawn due west from the lower end of Rock Island to the Missouri river, shall constitute a county, and be called Dubuque. The said county shall constitute a township, which shall be called Julien. The seat of justice shall be established at the village of Dubuque until the same shall be changed by the judges of the county court of said county.

SEC. 2. All that part of the district aforesaid, which was attached as aforesaid to the territory of Michigan, and which is situated south of said line to be drawn west from the lower end of Rock Island, shall constitute a county, and be called Demoiné. The said county shall constitute a township, and be called Flint Hill. The seat of justice of said county shall be in such place therein, as shall be designated by the judges of the county court of said county.

Approved September 6, 1834.

The act included five other sections referring to local matters, as elections, courts, etc. The territory included in the boundaries of the county of Dubuque contained all of the northern half of the present State of Iowa, all of the State of Minnesota west of the Mississippi river, and all the territory of the States of Dakota east of the

\* This is an abstract of an interesting paper read before the Pioneer Law-makers' Association of Iowa, Feb. 15, 1894.—ED. ANNALS.

Missouri river, being the largest territory ever included in the boundaries of one county. The county of Des Moines included all the territory of the south half of the present State of Iowa, now numbering forty-four counties. The members of the Territorial legislature of Michigan, in session in the city of Detroit, I presume, did not think it would be necessary to name and define the boundaries of any other counties west of the Mississippi river for many years to come, as at that time it was supposed and generally believed that "the Great American Desert" included the greater part of the country and would not and could not be successfully cultivated during the present century.

At the first session of the Wisconsin Territorial Legislature, held at the town of Belmont, the large territory of Des Moines county was divided into six counties as follows, to-wit: Lee, Van Buren, Henry, Louisa, Musquitine and Cook. The act was approved December 7, 1836.

The next session of the Wisconsin Territorial Legislature was held at Burlington in 1837. The county of Cook became extinct, and the following counties were created and taken from the original county of Dubuque, to wit: Scott, Clinton, Jackson, Clayton and Delaware.

What called my attention to the necessity of having a number of new counties named and boundaries defined, was an agent offering maps for sale showing the boundaries of the fifty counties named and organized, and all the balance of the State *an entire blank*—the territory lying in the west and northwest portions of the State not being laid off in counties.

December 10, 1850, being the eighth day of the General Assembly which commenced at Iowa City on the 2nd day of December, 1850, the Senate Journal states that Mr. Casady gave notice that he would, on to-morrow or some future day, introduce a bill for an act defining the boundaries of twenty-five new counties.

On the 11th day of December the Journal states that Mr. Casady, in pursuance of notice, introduced Senate File No. 5, a bill for an act to establish new counties and define their boundaries, which was read a first and second time, and on his motion referred to the Committee on New Counties.

The Committee on New Counties consisted of Messrs. Hendershott, Cook, Alger, Lewis and Casady. On December 16, Mr. Hendershott, chairman of the Committee on New Counties, to whom was referred Senate File No. 5, reported a substitute therefor. On the same day Senate File No. 5 was read a second time. Mr. Espy moved to lay the bill on the table, which motion did not prevail.

On motion of Mr. Casady, the Senate resolved itself into committee of the whole for the consideration of the bill, Mr. Leffingwell in the chair. After some time spent therein, the committee rose and by their chairman reported the same back to the Senate with one amendment, asking leave to sit again on Saturday next at two o'clock P. M., which was granted.

On the 21st of December the bill was read a third time, passed, and the title agreed to. Prior to the passage of the bill, Mr. Morton, "with the unanimous consent of the Senate," moved to strike out the name of "Mason" in the first section and insert the word "Union," which was carried.

On January 2d, 1851, the bill was returned from the House with sundry amendments. The Senate disagreed to the amendments made to the bill by the House. The House refused to recede from its amendments and asked a conference thereon. Messrs. Summers, Allender and Crawford having been appointed managers to conduct said conference on the part of the House. The president appointed Messrs. Casady, Everson and Lowe, a committee to manage the conference on the disagreeing

votes of the two houses on "Senate File No. 5, a bill for an act to establish new counties and define their boundaries."

The committee was called together as soon as practicable. Messrs. Everson and Lowe, two of the managers on the part of the Senate, refused to attend, stating they had given the matter but little attention and that they could not aid in the conference. The managers attending on the part of the House were Messrs. Summers, Allender and Crawford. The report of the conference committee was promptly agreed to except as to the name of Buncombe. The managers on the part of the House said the members were opposed to the name; but after the statement that it was suggested in honor of Colonel Buncombe, a soldier of the Revolutionary War, and that North Carolina had named one county Buncombe, the only one in the United States; that the county was the most elevated one in that state; that it would be appropriate to name the northern part of Iowa Buncombe, being the most elevated part of Iowa, the managers yielded, the report was agreed to, written out and submitted to the different houses and adopted January 6, 1851.

The reason of the change of the name of "Mason" in the first section of the bill, which name had been placed there in honor of Charles Mason, formerly Chief Justice of the Supreme Court of the Territory, and at that time the principal Code Commissioner, was that it would be considered an injustice to other men occupying prominent positions in the State about the age of Mason—such as Governor Hempstead, Senators A. C. Dodge and George W. Jones, James W. Grimes, Henry W. Starr and others. The name of "Union" being suggested by Senator Morton from Henry county, met with approval. Judge Mason was deservedly popular, but for the reason stated the name was dropped.

The county of Floyd was named in honor of William



Floyd, one of the signers of the Declaration of Independence, a delegate from New York, and the first name mentioned in the delegation from that State. In the original bill the name "Floyd" was suggested in honor of Sergeant Floyd, who was a member of the Lewis and Clarke expedition and had died in camp and was buried on the east bank of the Missouri river south of Sioux City. At his grave a cedar post in form of a cross was erected. The remains and cross were removed after the settlement was made at Sioux City, in order to keep them from falling into the river. At the time, the river emptying into the Missouri river at Sioux City was named Floyd river, to commemorate the sad death of Sergeant Floyd. The proposed county had the same boundaries of the present county of Woodbury. The house amended the bill by striking out Floyd and inserting Waukaw. The name was retained to please the members who wanted a few Indian names.

The reason for reference to the committee of the whole Senate was to give members an opportunity to suggest names. When the committee was ready for business I remarked to the chairman that I had a list of Indian names, some of which might meet the approval of senators. A number were read, but none seemed to meet the views of those who desired Indian names. The committee, after spending a short time, and after suggesting an immaterial amendment, rose and asked leave to sit again.

The county of Wright was named in honor of Joseph A. Wright, then Governor of the State of Indiana, one of the most popular men in the State at that time. He had served as Governor seven years, a longer time than any other man. The last time he was elected, I believe he ran about twenty thousand ahead of his party. Two members of the committee on new counties were former residents of the State of Indiana, to-wit: Senator Freeman Alger and myself, and all were of the same political faith

as Governor Wright, except Senator John P. Cook. While the bill was pending before the Senate, Senator W. E. Leffingwell moved to strike out the name of Wright, stating that the name had been suggested in honor of Senator George G. Wright, who was still a young man and that we did not know what he might yet be guilty of! One Senator suggested that it was named for Silas Wright of New York; a member of the committee stated that the county was named for Gov. Joseph A. Wright of Indiana. Mr. Leffingwell then remarked that he would withdraw his motion, that he understood the county would not be settled for fifty years!

Senator Leffingwell was regarded as the leader on the Democratic side, and Senator Wright was the actual leader of the Whig side and so recognized by all.

It was determined by Dr. Clark (then a resident of Andrew, Jackson county), Andrew J. Stevens (a citizen of Fort Des Moines), and myself, to recommend that three names should be given of three colonels who fell at the battle of Buena Vista. The names selected were as follows, to-wit: John J. Hardin, of Illinois; Archibald Yell, of Arkansas, and Henry Clay, Jr., of Kentucky, the talented son of Henry Clay. Three battlefields should be commemorated by the names of counties—Cerro Gordo, Buena Vista and Palo Alto. Three names we deemed proper to give to the Irish patriots, Mitchell, O'Brien and Emmet. We also asked that the following names should be honored: Major Frederick Mills, who was a leading lawyer of the city of Burlington, member of the law firm of Mills & Stockton, before he was commissioned. He fell at the battle of Churubusco, near the City of Mexico. It is said that the spirited animal he was riding got the advantage of him, ran with him, leaped the ditch and into the ranks of the Mexican army where he was killed. Captain Edwin Guthrie, an early pioneer of the Territory of Iowa, was a resident of Fort Madison before his appoint-

ment as captain of the only company enlisted in Iowa Territory for service in the war. He was a Whig in politics, had served as warden of the penitentiary, and had been frequently spoken of as a suitable man to represent Lee county in the legislature. He died from wounds received in Mexico, before the close of the war. Our worthy and genial member of this Association, Captain I. W. Griffith, of Des Moines, a member of Captain Guthrie's company in the battalion commanded by Major Mills, was in the battle of Churubusco, where he lost his right arm. General William O. Butler, a distinguished citizen of Kentucky, who was a major-general of volunteers in the war with Mexico, and in 1848 a candidate for Vice-President on the Democratic ticket. William J. Worth, a major-general who distinguished himself in that war. He died at San Antonio in 1849 while in command of the United States Army in the Department of the Southwest. These recommendations were all adopted.

The territorial legislative assemblies having failed to honor the distinguished names of Adams and Harrison, statesmen, and Franklin the statesman and philosopher, all so illustrious, and so largely identified with the history of the Nation, it was deemed most fitting that a county should be named for each, and this was accordingly done. Buncombe retained its name until after the battle of Wilson's Creek in Missouri. In this battle the First Iowa Volunteers were engaged and it was the first in which Iowa troops were under fire. Brigadier-General Nathaniel Lyon was in command, and was killed. Lieutenant-Colonel Merritt of the First Iowa distinguished himself in this battle, taking command of the Union forces after the fall of General Lyon. The General Assembly, wishing to honor General Lyon, looked over the counties for the purpose of seeing what one might be changed, and still having some prejudice against the name of Buncombe, decided that Lyon should take the place of that name in the list of counties.

Audubon county was named in honor of the illustrious ornithologist, John James Audubon, who died in New York City, January 27, 1851, a few days after the passage of the bill. Audubon visited the Republic of Texas in 1837 and called on the president, General Sam Houston. He found the capitol building without a roof, the president's house consisting of two rooms made of logs. The cabinet treated him very civilly, inviting him to a grog-shop where he and they drank together; afterwards he drank with the president. The capital was then at the village of Houston, a very uninviting place.

Bremer, named in honor of Frederika Bremer, the Swedish traveler and author, was the second county named in honor of a woman; Louisa was the first, named at the session at Belmont, in 1836, in honor of Louisa Massey, a lady of Dubuque, who a short time before the passage of the act creating the county had shot a ruffian who had threatened the life of her brother. She was a heroine, and among the early pioneers heroes and heroines were highly respected and honored whenever an opportunity was presented. The name Bremer was suggested by Honorable A. K. Eaton, then a member for Delaware and other counties, now a resident of Osage, Mitchell county. Mr. Eaton at the last meeting of our Society delivered an interesting address on "Recollections of the Third General Assembly," particularly the part the house took in that session. I am of the opinion that the societies managed and controlled by women should give the early Pioneer Law-makers some recognition and credit for honoring two of their number in such a manner.

Kossuth county was named in honor of the Hungarian patriot and leader, who was then making a tour of the United States. When he visited St. Louis, our distinguished townsman, Honorable John A. Kasson, then a resident of that city, made the welcoming speech to him on behalf of the city.







Thor. Drummond

## CAPTAIN THOMAS DRUMMOND.

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BY CHARLES ALDRICH.

[This paper was read before the Pioneer Law-makers Association in Des Moines, February 15, 1894.]

The first time I ever saw an Iowa Legislature in session was in the month of February, 1858. I was then living in Webster City, Hamilton county, where I had started *The Freeman* newspaper the previous summer. That winter was an open one, there being little snow. A fellow townsman, Hon. Walter C. Wilson, a member of the preceding Legislature—the last which met in Iowa City—drove across the country in a light open wagon, carrying Mr. George Smith, another early settler and myself. The most of the way coming down, we traveled over the prairie, four or five miles east of the road, which followed the sinuosities of the timber belt the greater part of the way. The usual autumnal fires had swept over the prairies and the ground was bare and quite smooth. Mr. Wilson was a thorough pioneer and able to pick his way regardless of the wagon road. We reached the capital without other incident than narrowly escaping a ducking through the ice, in Squaw Fork, a deep prairie creek in the south part of Hamilton county.

At that time the only legislative body I had ever seen in session was the United States Senate, a week or two after the inauguration of President Frank Pierce. I need not say that this was an interesting experience to a pioneer editor as far from shore as Webster City was at that time.

The old Capitol—now such an interesting ruin—had not long been built, and stood in the midst of thick woods. James W. Grimes, the Ex-Governor, had been elected United States Senator but a few days before. Elijah Sells, one of the ablest men who ever filled that office, was Secretary of State. Oran Faville, of Mitchell county, a most courtly and dignified gentleman, was Lieutenant Governor. Stephen B. Shelledy, of Jasper county, was Speaker of the House. Of a few of the members of the House I have always retained very distinct impressions. Our member was Cyrus C. Carpenter, a gentleman who was heard from in other useful capacities in subsequent years. He was a young man of apparently not more than twenty-five.

George W. McCrary, of Lee, had appeared in public life for the first time. He was a young man of about twenty-two. He was smooth-faced and almost boyish in appearance, but wearing an air of seriousness and dignity that would have been most becoming in a gray-haired judge. I heard him speak briefly on some pending bill, and I recall the fact that he commanded the attention of the House.

I remember Dennis Mahony of Dubuque, quite an old man, afflicted with some nervous disorder which caused his head to shake, giving his eyes a very curious and unsteady appearance. But when he spoke, deprecatingly of certain trivial and undignified proceedings then on foot, everybody listened attentively, and the House accepted his advice.

Old Zimri Streeter of Black Hawk, was one of the characters of that House, as he was of the next one. He was a wit and a wag, with all his rude speech and lack of culture. Mahony besought a member to withdraw a resolution which had been introduced in a mere spirit of badinage. "Old Black Hawk" rose and said: "Let it be withdrawn, it has sarved its purpus." The House in-

dulged in a hearty laugh, and the resolution was speedily laid aside, the House coming down to the serious work in hand.

Belknap of Lee, was also a member, not older, perhaps, than Carpenter. Something above the medium height, red-cheeked, fair-haired, with flowing beard, he was one of those men who would attract attention in any assemblage—one you would probably turn to look back at if you passed him on the street. How he and McCreary climbed the ladder of fame in after years are matters of national history.

M. M. Trumbull, later "the hero of the Hatchie," where he won his brigadier's star, was another member who made his mark that winter, though he, too, was one of the youngest members.

Another well-remembered representative was James F. Wilson. I interviewed him in the hope of securing his support of a bill which I had brought along in my pocket, providing for the publication of the laws in two newspapers in each county. He was a slender, smoothly-shaven, neatly-dressed young man, with not much color in his face, having a half clerical sort of look. He had won a foremost place in the Iowa Constitutional Convention of the year before, as I heard frequently mentioned. I found him somewhat conservative in expression, though inclined to know all the whys and wherefores relating to the measure.

B. F. Gue, one of the members from Scott, full-bearded, red-cheeked, fine-looking, on the hither side of 30, was a man of mark in that body.

"Ed Wright of Cedar," was as noted then for the thoroughness with which he transacted business as at any subsequent period of his life. He was the best informed man in the House on parliamentary law, and whenever that body got into a tangle, he had the address, coolness and knowledge, so necessary to straighten out the kinks.

But next to our own representative, the man of whom my memory is clearest, was Thomas Drummond of Benton county. He was then editing *The Eagle*, which was one of the best known county-seat papers in the State. Tom, as everybody called him, could not have been older than twenty-five, and he may have lacked even a year or two of that. He was of slender build, rather above the medium height; his hair was as black as a raven's wing; his complexion rather dark, and his eyes like jet; he had a bright, laughing eye, but it flashed like fire when provoked to anger. I have often heard it said that he claimed descent from Pocahontas, though I never heard him allude to the matter. I remember, however, that he was occasionally mentioned by editors with whom he had tilts, as "Mr. Pocahontas." I met him at the Scott House, a favorite boarding-place with the members. I believe it stood on the ground now occupied by the gas works. It was kept by Alexander Scott, who donated to the State a portion of the ground upon which our beautiful capitol now stands. Tom freely used what General Fitz Henry Warren afterwards called the "energetic idiom"—in fact, he "swore like a trooper." When I was first introduced to him he gave me a "piece of his mind," and with a degree of emphasis which I have never forgotten. The point was this: I had warmly supported Governor Grimes for United States Senator, believing—and I have never changed my mind on that point—that he was the greatest man in Iowa, and for that matter, in the Northwest. Tom had supported F. E. Bissell, of Dubuque, largely upon the ground that he was a *northern man*, while Grimes lived in Burlington, not far from Mt. Pleasant, the home of Senator Harlan. Tom deprecated the idea of giving all these offices to men living "down in the pocket." I did not care where the Senators lived— if they were the two ablest representative men in our State. I will not try to reproduce his language, but he gave me a "cussing" for not



“standing up” with him for a northern United States Senator. “But for you and two or three other newspaper men,” said he, “we would have had a northern Senator.” We both freed our minds on this topic of the day, neither convincing the other that he was wrong. I was under the distinct impression that I had “stood up.” But I had a good time with Tom, and from that time until his death we were fast friends. I can scarcely account for this even now, for our habits were totally different. He was a wild youngster, indulging in sundry dissipations which I will not stop to particularize. But he was an impulsive, large-hearted, breezy, good fellow, whose eccentricities of behavior were always freely forgiven. Actions which would have irreparably ruined an average good character never affected him in the least. A cold bath in the morning banished all traces of a night’s hilarities, and he came into the House in the morning in all the glory of high spirits, clear complexion, sparkling eyes and pearly teeth. Even the staid old Quaker members who only saw him on the floor, deemed him a model of all the proprieties. At the very worst, they only regarded him as a “little wild,” but not more so than could be readily condoned in one whose other qualities made him so genial and companionable. He was a ready speaker and popular debater. Graceful in action, handsome in person, a born orator, thoroughly informed, as became a journalist, he was a man of mark, easily a leading member of the Legislature, as I believe he would have been of the Congress of the United States, had he been chosen to that theater of usefulness.

During this session he secured the passage of the bill for the location of the Blind Asylum at Vinton. He may be regarded as the founder of that institution, and it certainly never had a more vigilant supporter or so eloquent a defender.

At the next session—1860—Drummond came to the Senate. Unusual efforts were put forth to build the Insane Asylum at Mt. Pleasant, and it was determined by the Republican majority to suspend work for the present on the Blind Asylum, in fact, to “sit down upon Tom Drummond.” This awoke all the wrath that was in him. But his party counted its chickens before they were hatched. It had a majority of but three, including Tom Drummond. There were two members who would to-day be styled “mug-wumps.” They voted with their party when it suited them, but could not be counted on at all times. They favored the appropriation for the Blind Asylum and were opposed to the other institution, unless both should be treated alike. The Democrats stood solidly by Tom, and he was therefore able to bring things to a dead-lock. The speech he made against the proposed action of his party, and in favor of “my Blind Asylum,” as he called it, was one of the most powerful and scathing that ever woke the echoes of the old Capitol. Prominent Republicans—even Governor Kirkwood—besought Tom to give up the fight and not “block the wheels of Legislation.” But he was immovable and his friends sustained him. He boldly declared on the floor of the Senate that the Mt. Pleasant Asylum should not have a dollar, nor should any member have his per diem, unless the Blind Asylum was taken care of. He carried the day and won his point. The Senate came down from its high horse and gave him the appropriation he asked. The Blind Asylum went ahead, though the second story was unreasonably and awkwardly shortened in from the original plan, making the beautiful edifice that Tom Drummond’s foresight would have made of it, a deformity. But if it is a benefit to the city of Vinton to have that great charity within its limits, the citizens should place within its grounds an enduring monument to the memory of their first citizen in those pioneer times.

Drummond had in him all the elements of a soldier. Possibly "he was sudden and quick in quarrel." He certainly would have been had he believed himself imposed upon in any way.

"He bore anger as the flint bears fire,  
Which much enforced, shows a hasty spark,  
And straight is cold again."

But it was as a soldier that he was destined to crown his life of usefulness and end his days. As soon as the first indications of the great civil war became visible he told his friends that he was "going into it." In February, 1861, he organized a military company in Vinton—being the first man to enlist. He left for Washington the same month, some two weeks before the inauguration of President Lincoln. Very soon after reaching the Federal City he was offered a second lieutenancy in the United States regular cavalry. He was not long in reaching a captaincy, and at one time his lineal rank in the army was higher than that of Gen. Custer—and they were both in the same regiment. He was appointed lieutenant-colonel of the Fourth Iowa Cavalry, in which he served several months. Upon being mustered out of that regiment he returned to his own command only to be detailed for recruiting service, with headquarters at Cleveland, Ohio. He remained at that post, or in this duty, for over a year. But near the close of the struggle he was ordered into the field with his regiment, just in time to take his part in the battle of Five Forks, Virginia. In this engagement, when the fighting was really over, he was struck by a random shot and so severely wounded that he died during the following night. He was buried in the churchyard at Dinwiddie Court House, where his grave was seen by Cyrus C. Carpenter, afterward Governor of Iowa, who was a lieutenant-colonel and commissary of subsistence in Sherman's army which marched from Atlanta to the Sea. At the time of his death I was taking *The New York Tribune*, and

in reading the account of the battle of Five Forks, I saw the announcement that "Captain T. Drummond" had been mortally wounded and was dead. I marked and sent the paper to Honorable Frank W. Palmer, who was then publishing *The Des Moines Register*. In the issue of April 29, 1895, he printed the following paragraph:

"DEATH OF CAPTAIN DRUMMOND.--Yesterday we received a copy of a New York daily, sent to us by a friend, containing a list of the killed and wounded in Sheridan's command, during the five days' fighting preceding the fall of Richmond and surrender of Lee. The name of Captain Drummond, Fifth U. S. Cavalry, was among the officers reported as mortally wounded, and on the margin of the paper was written: *'That is our poor Tom.'* Our Iowa readers will remember Thomas Drummond, as editor of the Vinton *Eagle*, member of the House of Representatives from Benton county in the first General Assembly which convened in this city. He was subsequently elected Senator from that county and served during one session. When the war broke out, he was commissioned first Lieutenant in the Regular Army, and when the Fourth Iowa Cavalry was organized, he was commissioned as Lieutenant-Colonel. He served with the regiment several months, and was then transferred to the Fifth Regular Cavalry, in which he was promoted to the rank of Captain. This is the officer of whose death our friend now notifies us. We *hope* the information may not be well founded, but *fear* that it is. Captain Drummond had his faults—who has not? He was a devoted, self-sacrificing friend, an earnest, able advocate by tongue and pen of just principles, and a gallant defender of his country in the field. Peace to the memory of this brave Iowa soldier."

Thus perished "one of the bravest of the brave," freely giving his young life that our nation might live. He was one of the foremost of our rising Iowa politicians,

one of our most able and versatile editors, one of our clearest headed legislators. If he had glaring faults, he was also possessed of magnificent qualities of head and heart. Had he continued in civil life there can be no doubt that he would have attained higher recognition than that of State Senator. His nature was irrepressible, but his aims as a public man were praiseworthy in the highest degree. He contended for progress, improvement, education, substantial sympathy for the unfortunate classes—benevolence, charity, in their highest, noblest manifestation—sympathy for those most deeply afflicted.

I thank you for the opportunity you have given me, to place upon your records this humble tribute to my early friend. He was one whose memory should not be allowed to perish, but kept forever green in the Annals of Iowa.

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In the history of men and nations, while we remain immersed in the study of personal incidents and details, as what such a statesman said or how many men were killed in such a battle, we may quite fail to understand what it was all about, and we shall be sure often to misjudge men's characters and estimate wrongly the importance of many events. For this reason we cannot clearly see the meaning of the history of our own times. The facts are too near us; we are down among them, like the man who could not see the forest because there were so many trees. But when we look back over a long interval of years, we can survey distant events and personages like points in a vast landscape, and begin to discern the meaning of it all. In this way we come to see that history is full of lessons for us.—*Prof. John Fiske.*



## RECOLLECTIONS OF EARLY TERRITORIAL DAYS.

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BY THE HON. ALFRED HEBARD.

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The desire to possess land in the habitable parts of our globe has been a primal instinct with mankind ever since Adam was locked out of Eden. And why not? If, according to Scriptural record, man derives his being from the "dust of the earth," and his support from the earth while that being lasts, and finally returns to the earth when that being ends, it is natural that "mother earth" should be an object of no common interest. That instinct has grown with the progress of time till it has become largely a dominant passion, especially among those classes whom we denominate "rural," and who derive their support more directly from the cultivation of the soil. Unfortunately, multitudes have always thronged the larger cities of the world who never realize any such inspiring impulse. They can see no beauty in a native forest; no charm in a running stream; no value in a fertile field. Largely dependent, they add their numbers, but little or nothing of value to the welfare of the community. Of a very different type were the settlers who took possession of south-eastern Iowa previous to the first land sale. We were all "squatters," an inelegant phrase, perhaps, and with some suggestive of rude lawlessness, but there was nothing of the kind. Rightly understood, it had a commendable significance—nothing else than a reasonable assertion of an inalienable right. The wealth that lay buried in the fertile soil was attainable by effort that cost "the sweat of the brow;" the condition imposed upon Adam and his descendants by the

Creator himself. Had not the man who complies with that condition the first right? Adam was a "squatter"—the first one, of course. Governed by the same necessities that control men at the present day, he went forth on the plains of Shinar and staked out his claim, where he and his family subdued the earth with a success that called forth grateful offerings to God. They doubtless had a hard time, worked unlimited hours, and with rude implements. No straddle-row cultivators, or self-binding reapers, relieved the rigor of their labors. Our early "squatters" had more facilities it is true, but the earth was just as obstinate; the storm as severe; the exposure as trying; the necessities as demanding, as in Adam's time. There is no one who began pioneer life as far back as 1836 and a few years following, who cannot recall something besides pleasurable experiences in those early, formative days. And who can say that the men who struggled through those trials had not a primary right to legal title when Government was ready to convey the same, without paying tribute to outside parties whose only object was pecuniary speculation? There was, in fact, an irresistible determination on this point, based upon a conviction of what was right.

Before reciting the various methods adopted to secure the legal title to their lands, it is proper to state that our early settlers were possessed of commendable traits of character to a degree not always found in pioneer classes. Courageous and energetic, they were no land-grabbers—each for himself to the exclusion of all others. On the contrary, they recognized the right of good neighborhood, and were mutually helpful. Every movement in favor of education and moral improvement met with immediate favor. The budding twig of social and economic life was early bent in the right direction, to give value to the tree in the years of its aftergrowth. Our population was heterogeneous, of course, and all were not model char-

acters. Some few, like their great prototype, preferred "going to and fro in the earth, and walking up and down in it," not in love with the hoe and the plow. They busied themselves "jumping claims" and dispossessing others for slight irregularities. Our first settlers were a decidedly industrious community. They began in earnest, and at once, to develop the country and secure for themselves a livelihood and comfortable homes. They had no patience with troublesome men or troublesome questions, and a strong, latent undertone of sympathetic feeling developed a method of handling both. The rules and regulations adopted to govern our actions were denominated "Club Law." A misnomer, perhaps, but still suggestive of primitive remedies in cases of necessity.

Every man was allowed to file a claim of 160 acres—no more—on any unoccupied land. To hold his claim he must commence improvements and continue to enlarge the same within stated limited periods, by building, fencing or ploughing, in order to show his good faith. Boundaries might be adjusted, and claims sometimes enlarged by purchase. But large holdings were generally discouraged. Lands were eagerly sought. Claimants were ransacking every corner, to make judicious selections, and it would be unreasonable to suppose there would be no collisions, no disturbing questions. But the regulations of our "Club Law" early made provisions for their settlement. A committee of three—sometimes called Judges of Club Law—was appointed by common consent to take cognizance of such matters, and more especially questions relative to claim property. In cases of disputes or disagreement, this committee—on application—appointed a day and place of hearing, generally in the open air and on the land in question. The parties appeared. The plaintiff presented his case, introduced his witnesses, and said all he wished to say without let or hindrance, or interruption. When the plaintiff was

through the defendant had the same privilege. If the plaintiff had lied, the defendant was at liberty to outrank him with a bigger lie, if he could. The standing committee, or a jury especially appointed, then retired, weighed the case, and returned their verdict, which was *final*, and without appeal. A common interest enforced these decisions without trouble. No professional lawyers were allowed, and no expense incurred, except the time spent at the trial. Final settlement at the outset was important to all, so that mere disagreements or differences of opinion should not be permitted to grow into prolonged bitter quarrels. Our code was very simple, but effectual within its limit to a single class of questions. It required no legal lore. Hence, we waited on no legal statutory enactments, no judicial decisions, no legal precedents, but obeyed the instincts of common sense, common interest, and above all of an imperative necessity. For it was important that every jar of discord should be eliminated, so that on the day of sale a solid, harmonious front could be presented in defence of our rights. For we knew that *greed* would be there ready to swallow everything of value with an omnivorous grab, unless restrained by the fear of something more powerful than "moral suasion."

The first land sale at Burlington, I suppose, was characteristic of those held elsewhere, though I have no personal knowledge of any other. A few now remember, and more never knew, the incidents of this sale. I have thought it would not be amiss if I should from memory, leave a statement of the mode of procedure so effectual in securing the then paramount object of interest with all. As the time of the sale approached, anxiety became somewhat intense. The "bird was yet in the bush and not in the hand." Maps of townships advertised were prepared, distinct, and of large size. On each legal subdivision of the various sections the name of the man who held a recognized claim to it was distinctly written. One man

was appointed to bid for each township, no one else to utter a word, but all were to attend as a kind of body-guard to see that everything went off right. On the day of sale, by the courtesy of the Register, (General A. C. Dodge), the township bidder was allowed to take his place, map in hand, by the side of the auctioneer. As the first tract was cried the bidder responded, "\$1.25," the government minimum. The auctioneer glanced at the crowd and quietly said, "sold!" The name of the purchaser was given from the map, and the clerks made the record. The same proceeding followed with each succeeding tract, until the township was finished, following sections in numerical order. Not a loud word had been spoken except by auctioneer and bidder. Had Goliath or Samson undertaken any interference by an over-bid, there would have been an experience that would have been a high price for life, if that even had been spared. This being distinctly understood, no one was rash enough to risk the consequences. No threats were made, but when these beautiful lands were passing from savage to civilized man, there was a latent purpose that every needy, industrious person, who complied with the rules, should have an opportunity for an allotment whereon to live and dwell, without intervention from any source, except the conditions the Creator had imposed and the rules and regulations of the Government. The sale passed off quietly according to program, and most of the more desirable lands were secured to actual cultivators in small quantities but sufficient for family needs. This first sale, important as it was, to those immediately interested, had also its influence in some degree toward that general division of the lands of our State among actual cultivators, which is her fortunate condition to-day. No man within her borders is virtually a king of a county as is the case elsewhere. There are no large cities, no over-grown estates, but thousands of independent, comfortable homes. Her resources



are thus developed, her productions increased, and a *wealth* of *patriotism* abounds, caused by, and identified with, the multiplied thousands of individual landed interests. After the auction sale the next step needed no mutual protection. It was an individual operation, and concerned no one but the purchaser. It was simply to call at the office of the Receiver, (then filled by General Verplanck Van Antwerp), pay over the price of the purchase, and take his certificate and receipt. On this Government would in due time issue a patent conveying title. For the performance of this second act in the land drama, some were prepared and some were not. But parties were on hand with a plethora of specie—to loan, generally at a rate of about one hundred per cent. for a year—and many a man went home with a Title Bond of Doctor Barrett or some other party in his pocket in place of his certificate of purchase. The land was valuable, however, and his bargain was a good one even at some sacrifice, and many families in Des Moines and adjacent counties at this day holding them, are in a condition of financial independence.

Aside from the common entry, such was the mode of acquiring title to a large amount of land. But not all vast amounts have been conveyed by beneficiaries of the State, to whom large grants had been made at an early day for various purposes. These grants, though wisely intended, did not always meet expectations. The Des Moines River Grant, the most valuable of all, failed utterly of accomplishing its end. And the river, to-day, unchecked by slack-water dams, runs as freely as it did before the grant was made. Not so with the lands. They have been more or less tangled with vexation from beginning to end. Provisions for educational purposes, owing to an early lack of experience, perhaps, were not made available to their full extent. Hence, an additional burden to-day upon the Treasury of the State. The large amount of

aid to railroads no one regrets. They are as needful as the air we breathe or the soil we cultivate. But it is questionable whether they should ever have been allowed to tax the settler five to fifteen times the government price for his land. When a man binds himself to pay from one to two thousand dollars for an eighty acre lot, and then faces the unavoidable expense of improving and building—added to current family necessities—he has before him a very steep mountain to climb. No mistake about this, for experience has told us so. On account of the growth and prosperity of our State, some of us at times have been led to indulge in a little unseemly boasting—as though wisdom only had marked the doings of our early days. Although a pioneer of the pioneers, I am frank to say, that I think we have prospered fairly well in spite of some questionable, if not bad, management. But I am not disposed to criticise at this late day. I would rather charge all to early *inexperience*—only hinting to any one inclined to be a little loud in asserting personal merit, that modesty is a very shining jewel, capable of adorning any condition in life.

In the early days towns grew apace with the settlement of the country—juvenile Blackstones and embryo statesmen, as a class, preponderating. So much so in Burlington, that some were obliged to withdraw on account of a plethoric abundance. Among them the afterward distinguished J. C. Breckenridge, of Kentucky. The times rationally speaking, were intensely partisan. They were the days of Andrew Jackson, Martin Van Buren, and Thomas H. Benton—all radical in their political views. The latter was called “Old Bullion,” on account of his violent speeches in favor of “Hard Money,” and against “Bank Rags.” Our settlers, however, were more interested in improving their claims than they were in national politics and would have lapsed into a state of partial neutrality if left to themselves. Not so with the aspirants

of our villages. Some were young, and some were not so young. They had been unsuccessful, and wished to try new fields. The older citizens of Keokuk can easily recall the name of one who in due season imported himself into that town as a leading point of influence, and was nearly successful in gaining a seat in the United States Senate. All these aspirants were earnest advocates of an early State government and were impatient of territorial days. Night mare visions of possibilities under a changed condition of things seemed to haunt the brain of not a few. As the time of statehood finally approached, public rumor affirmed that sixty different parties, "dark horses" and all, were willing to forego prospective fortunes in their various callings to serve the new State in the more honorable wing of the Capitol at Washington. Strange to say, State offices went comparatively begging. The office of Governor even had minor attractions. Why it was thrust upon the first incumbent I never could surmise. Governor Briggs was a kindly, inoffensive, certainly *unambitious* man. A boat on the Mississippi carried its name on the wheel-house, "Gov. Briggs," a former somewhat distinguished chief magistrate of Massachusetts. It may have suggested the man for us, and a better man by far than any tricky, scheming politician. I recall no incident connected with his administration except one, worthy of record, for which we are all alike responsible. After the First General Assembly was organized at Iowa City, a new condition of things confronted us. Heretofore, in territorial times, Uncle Sam had paid our bills, besides three dollars a day for services. Now we had asserted our independence and were trying to walk alone—a difficult job with a barren treasury. We were in the condition of the man on a sinking ship who asked his fellow if "he could pray?" assuring him that "something must be done, and that very *quick*." So, waiving all other business, we sent for the Hon. W. F. Coolbaugh of Burling-

ton, to act as our agent, in borrowing seventy-five thousand dollars to set the wheels of Government in motion and keep them so for a session at least. Mr. Coolbaugh acted promptly and successfully. A debt is always embarrassing, and a lien upon future resources. In this case it was unavoidable. Our first obstacle being removed, we were now at liberty to apply ourselves to our new line of duty, which was little else than borrowing the laws of older States and shaping their various features to our new condition. In closing this little sketch, I wish to add that Governor Briggs though untrained by official experience, served his term creditably and in a manner entirely consistent with his honest character. Of our Statehood I defer any remark further than this single reference to the initial step of her existence.

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The monument of General Corse, which Burlington will erect in the new park, it is hoped, will mark the beginning of a new era during which the environs of the city are to be embellished and spiritualized. \* \* \* The Corse statue may be taken to be initiative of the real work of embellishment Burlington has now taken in hand, and to urge on with activity and good taste. This work will be, too, of wide scope, embracing art, learning and comfort in all their forms. The community will set its determination to have libraries, art galleries, public statues and fountains, a chain of parks quite around the town site, and easy means of communication from each to each. These progressions are all now as immediate and pressing as prairie-breaking and territory organizing were to the generation that last passed.—*Evening Post, Burlington, Iowa, June 29, 1895.*

## THE QUARREL BETWEEN GOVERNOR LUCAS AND SECRETARY CONWAY.

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CEDAR RAPIDS, IOWA, JUNE 1, 1895.

MY DEAR FRIEND:—I am in receipt of your favor of the 30th ult., and as I leave this evening for Marshalltown to attend the session of the Grand Lodge (52d) I write you at once.

You ask the following questions:

(1) What do you (I) know about William B. Conway? (2) When was he appointed Secretary of the Territory of Iowa? (3) Why did he call himself "Acting Governor?" (4) When did he die? (5) Is there any portrait of him extant?

In reply I would say (1) that I know something about the late William B. Conway, the first Secretary of the Territory of Iowa.

Prior to his appointment he was editing a small political paper in the city of Pittsburg, which supported General Jackson during his candidacy for the Presidency. It was a rabid, violent, partisan paper, quite in accord with many of the personal traits of the editor.

(2) By reason of the earnestness of his advocacy of the election of Gen. Jackson, and of his successor Martin Van Buren, he was appointed, by the latter, Secretary of the Territory of Iowa in June, 1838, a few days after the approval of the act separating Iowa from Wisconsin and creating it into an independent territorial district—the act to take effect July 4th following, from which period we date our territorial existence.

Mr. Conway had never held a political office and had had no experience in public affairs, but was an enthusiast



of his own kind, and immediately left Pittsburg for the new territory, landing at Davenport in the month of July. He was an Irishman and a member of the Catholic church, and very naturally made the acquaintance of the Honorable Antoine Le Claire, one of the founders of the city of Davenport, and also of Colonel Davenport, then residing on the island of Rock Island. They made him believe that Davenport was the greatest town in the territory and the coming city of the west, and that it was the only proper place for the capital of the new territory. The organic act provided that the *Governor* should "designate the temporary capital of the territory to continue as such until the legislature should establish the territorial capital." The organic act also provided that the Governor should "divide the territory into three judicial districts" and assign one of the three judges, appointed at the same time with Conway, to each of said districts. It also provided that he, the Governor, should issue a proclamation "ordering an election of members for the territorial legislature, and designate the time of its convening."

The Honorable Robert Lucas, (twice Governor of the State of Ohio and President of the National Convention which nominated Martin Van Buren for the presidency) appointed Governor of the new territory, had not yet arrived.

(3) Mr. Conway's new friends persuaded him into the belief that he was "Acting Governor" of the territory. The organic act provided that "in the *absence* or *death* of the Governor, the Secretary of the Territory should act as Governor."

In this belief Wm. B. Conway, Secretary of the Territory, issued his three proclamations, naming Davenport as the Territorial Capital, ordering an election of members of the legislature, and districting the territory for the judges.

A few weeks later Governor Lucas, who had been de-

tained by reason of low water in the Ohio, arrived at Burlington and was confronted with these proclamations. He became very indignant, declaring that "all the acts of the Secretary, as 'Acting Governor' were null and void, inasmuch as *no vacancy had been created*, either by his death or absence, as he had not yet entered upon the discharge of his official duties." He, however, affirmed the action of the Secretary in relation to the districting of the territory into three districts and the assignment of the judges—Mason to the first district, a resident of Burlington; Wilson to the third, a resident of Dubuque; and Judge Joseph Williams of Pennsylvania (like the Secretary) to the second district. Upon his arrival in October following, however, he selected Bloomington, now Muscatine, as his residence.

These acts of Governor Lucas created in the breast of the Secretary (Conway) unkindly feelings, which were never wholly healed.

Gov. Lucas, being a man of great experience in public life and familiar with the administration of public affairs, looked upon the acts of his younger associate, ignorant in these matters, as an offensive usurpation of authority. It was in the issuing these papers that the Secretary signed himself "acting governor."

Later, the Secretary again came into collision with the Governor in relation to the administration of the affairs of his office; and upon the convening of the legislative assembly, by his indiscreet acts, he came into serious collision with that body, from which he was extricated only through the good offices of his friend and fellow statesman, Judge Williams.

(4.) He died at Burlington, November 6, 1838, some four months after his arrival in the Territory and after a brief illness of typhus fever, and was succeeded in office by James Clarke, at that time editor of *The Burlington Gazette*, who became the last of the three territorial governors of Iowa.

(5.) There is no portrait of Conway extant, at least I never saw or heard of one, as he died some eleven years before daguerreotyping was invented.

Mr. Conway was a small man, very wiry and active, warm in his friendships and bitter in his enmities. He was *sarcastic* as a writer, and it was this bitter sarcasm that gave his paper, during the political campaigns into which he entered, considerable notoriety. He was yet a man of genial parts, and had he lived would have learned from experience, no doubt, and improved in his ways and manners.

It was unfortunate for the early history of Iowa Territory that this antagonism should have arisen between the Governor and Secretary of the Territory, but somewhat natural, as on the one hand there existed sound judgment, great and long experience in public affairs and in the knowledge of men; on the contrary the other had had no experience, and his judgment, both of public affairs and of men, was sadly defective, and possessing violent passions, with the quickness of action of his countrymen he often got himself into trouble from which, but for the aid of his friends, he would not have fared as well as he did.

I know nothing about his family, and his memory soon faded away, and but for the position he held and the personal troubles into which he involved himself, there would have been very little or no record left of his actions at that early date.

Very truly,

T. S. PARVIN.

Each generation gathers together the imperishable children of the past, and increases them by new sons of light, alike radiant with immortality.—*Bancroft*.

# ANNALS OF IOWA.

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## EDITORIAL DEPARTMENT.

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### A STATESMAN AND PHILANTHROPIST.

In the death of Ex-Senator James F. Wilson, which occurred at his home in Fairfield, April 25, 1895, Iowa lost one of the greatest statesmen and one of the most estimable personalities that has ever borne a conspicuous part in her history. His life was one of the highest usefulness—his character the purest and noblest. From his earliest youth to the close of his career conscientious devotion to duty governed his every action. When the final summing up takes place—when the works of his useful life are set down fairly and impartially to his credit—the annals of Iowa will not contain a more truly enviable record. This is high praise, but we believe the estimate is simple truth. When his life comes to be written, as we trust it may be ere long, it will be found not only rich in good works as a private citizen and public man, but containing “points of history”—seldom falling within the limits of one man’s career—which will make his memory imperishable. His example throughout his whole life—from the harness-maker’s apprentice to the Senator—is one that young men may well study and emulate. His motives were pure, his aims the highest. In the pursuit of the ends he sought to accomplish his paths were always straight, and his zeal and energy knew no abatement. His abilities were of a high order, such as gave him a commanding place, both in the public deliberative bodies of the State and the Nation. One whose counsels were sought by Lincoln and Grant in troublous times—

in the great crises which beset the Nation—could have been no common man. It matters not in what theater of action he was placed—whether in our Iowa Constitutional Convention—in either branch of the State Legislature—in the National House of Representatives or in the Senate of the United States—he was always a leader. In each of these deliberative bodies he occupied a foremost place. His name is and always will be connected with the history



HON. JAMES F. WILSON.

of the important State and National questions of his day. In the settlement of many of the great issues his was the brain that conceived and his the hand that penned the conceptions which were crystalized into the laws of the State and Nation. But while thus prominent in the high places of public usefulness and duty, a leader of leaders, no man was ever more an every day laborer for the greatest good of the greatest number, or more revered or honored in his own town and county. Fairfield is distin-



guished beyond any other town in Iowa by the possession of a Public Library which is the result of a growth of more than forty years. It has been conducted upon a broad and liberal basis from the start. Senator Wilson was ever its most generous supporter—the most untiring worker in its behalf. Not only did he give it his great influence, but he contributed liberally to its rich and varied collections. As the result of his efforts it is now housed in the finest library edifice in Iowa. As a useful working library it is only surpassed by those in Des Moines and Iowa City which have been built up and supported by the State. In American History, Politics and Political Economy, it doubtless leads them all.

But aside from his career as lawyer and statesman, in which his acts were known to the public, his domestic and home life was in every respect beautiful and enviable. His little farm of 55 acres adjoining the town had become under his management a place of marvelous beauty. His fields through high cultivation yielded handsome returns. He had built a modest but comfortable home, to which books, pictures and precious autograph treasures seemed to come naturally as by the law of gravitation. It is now almost hidden by tall trees which were long ago planted by his own hand. He had widened and deepened the bed of a creek, converting it into a deep pond, upon the bank of which he built a little summer-house. Fishes swam in the water and the surrounding timber was musical with the songs of his feathered friends. Here it was his custom to seclude himself for the purpose of studying and writing during the summers he was at home. It was an ideal quiet nook, and at his own door. He protected the birds and was a friend of the dumb animals. His means, to an extent which only those in close relationship with him knew or could appreciate, were devoted to charity. In the clear and forcible language of Judge H. E. Deemer, in the Supreme Court Chamber, on the 22d of May last—

“Through all the trials and temptations of life he was faithful to his friends, to his home, to his family, to his country, and to his God. He was more than a learned lawyer or sagacious statesman—he was a good man.”

Materials for his biography are most abundant. They exist, and are easily accessible—in the Debates of the Iowa Constitutional Convention of 1857, in the journals of our State Legislatures of 1858–60, in the proceedings of Congress during his service of twenty years, in a large correspondence which has been carefully preserved, in the files of Iowa newspapers from the time he entered the State, in his printed speeches on many public occasions, and in the recollections of troops of friends. It is to be hoped that these may be utilized by some competent hand in the production of a Life of James F. Wilson worthy of the man and the State and Nation he served so long and so well.

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### GENERAL J. M. STREET.

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Our sketch of the life of this distinguished friend of the Iowa and Wisconsin Indians is from the pen of his son, William B. Street, who is still living at the advanced age of seventy-five years. Though General Street was stationed but a short time in what is now the State of Iowa, his relations with the Indians living west of the Mississippi were intimate and close for many years. No adequate sketch of his life has yet appeared, though he is incidentally mentioned in many works of Indian and Western history, and many papers and official documents from his pen must be filed away in the Indian Bureau at Washington. There is abundant evidence that he was a man of large ability and judicial fairness, honest in his dealings, a genuine philanthropist, devoid of pretense, possessed of the highest moral and physical courage, a chivalrous

Christian gentleman. He thoroughly appreciated the Indians with whom he was so long and so intimately associated, believing them capable of great advancement in the arts of civilization, and of becoming quiet, peaceable citizens. His methods for accomplishing this great result were based upon "The Golden Rule." He won their confidence by kind treatment and exact, unwavering justice. They trusted him implicitly. For many years he acted as a foil to the greed of the rascally Indian traders—and very few of them were not unprincipled rascals—a character which they have constantly maintained, with only here and there an honorable exception, since the time whereof the memory of man runneth not to the contrary. He was a remarkable exception among Indian Agents, so remarkable, in fact, that he—a Whig—enjoyed the highest confidence of President Andrew Jackson. In the face of the hottest clamor for his removal, General Jackson, the bitter partisan, retained him in office throughout his administration, even when his removal was demanded by so great a statesman as General Lewis Cass.

Though from the pen of his own son, the article is fair and impartial, the conclusions of the writer according with those of other people who knew or wrote of General Street. He was a man whose clear head, large experience, and high sense of honor placed him, upon the Indian question, far in advance of his time. But the day is coming, and may not be far away, when justice will be done his memory, for the story of the wrongs of the Indians and of those who labored for them will yet be written. The cut of General Street, which accompanies the article, is copied from an India ink portrait presented by his son to the Historical Department of Iowa. The engraving showing the graves of the Street family and the Indian Chief Wapello, at Agency City, Iowa, is from a photograph by William Stoops of Ottumwa.

MAJ.-GEN. JOHN M. CORSE.

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When the Rev. Dr. William Salter was invited to prepare for THE ANNALS a sketch of his illustrious townsman, General John M. Corse, it was suggested that the space of twenty or thirty pages could be allotted to the subject. At the outset we believe Dr. Salter did not contemplate extending his sketch beyond the limits mentioned. But after looking up the data for the work—"reading up the subject"—he expressed some surprise at its extent, stating that the sketch would doubtless require four separate articles. But he does his work so well, his historical articles are so uniformly interesting and so permanently valuable, that he was promptly accorded all the space he should deem necessary for its adequate treatment. With this understanding he began the work, half or more of which is now before the reader. General Corse removed from our State several years before his death, and hence was to a great degree lost sight of by our people; but that he still regarded Iowa as his home is sufficiently evidenced by the fact that at his death his remains were brought back to Burlington for their final rest. Dr. Salter is performing his labor of love to the memory of this gallant soldier in a manner worthy of the highest praise. He has woven official orders, reports and despatches into a continuous and interesting narrative—leaving them to tell the story of General Corse's patriotic services. All this matter has been in existence ever since it was written in camp and field, thirty to thirty-five years ago, but it has until very recently been inaccessible to the public. In a general way it has been known that he was a trusted and valued lieutenant of General Sherman, but not until Dr. Salter's present work is completed and published will any one be privileged to read of General Corse's services as a continuous whole. So far as he has proceeded this can now be done, and

when he concludes his articles he will have presented to the people of Iowa one of the proudest military records that adorn her history.

Dr. Salter's article is most appropriately accompanied by a portrait of General O. O. Howard, and two facsimiles of interesting manuscripts. One of the latter is General Corse's famous reply to the rebel General French's demand for the surrender of the fort, "to prevent the useless effusion of blood;" and the other the congratulatory order of General Howard upon the brilliant and heroic defense of Allatoona. These documents in the hand-writing of Generals Corse and Howard belong to the Aldrich Collection in the Historical Department of Iowa.

Since the foregoing was written the Historical Department has secured two very fine photographs of General Corse, in the uniform of a Major-General. The negatives were made many years ago by Brady, who was the leading early photographer of New York and Washington. One is in standing and the other in sitting posture. We believe they are the most faithful likenesses of General Corse in existence, affording the best data yet discovered for his statue on the Iowa Soldiers' Monument, or for a life-size portrait in oil. Copies were at once ordered by the Monument Commission. These negatives had passed into other ownership and were practically forgotten, until a lucky accident brought them to light.

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## A CHARACTERISTIC ORDER OF GENERAL SCOTT.

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In the year 1890 the widow of General A. C. Dodge, one of our first United States Senators, presented to the autograph collection, then in the Iowa State Library, the order book which General Henry Dodge kept while in the military service. It is especially full and complete during the Black Hawk War. The book is a folio volume of



some 400 pages of unruled paper, about half of which is filled with the writing of General Dodge. It contains the orders which he received from superior officers, his own orders to subordinates, and the official letters which he wrote between 1832 and 1836. Aside from this volume very little of the writing of General Dodge has come to light in these later years, when it has been much sought. He was the foremost of western border heroes, the man whom General Jackson would have appointed United States Marshal of South Carolina had she gone into rebellion in 1832, the first Governor of Wisconsin Territory when the present State of Iowa was included within its borders, and one of the first United States Senators after Wisconsin was admitted to the Union. He remained in this latter position until after Iowa was admitted as a State, when his son General A. C. Dodge was elected as one of our Senators. The writer of this item remembers seeing both father and son in their seats as United States Senators in 1853. Their portraits, as well as that of General Jones of our State—who is still with us as a well-preserved nonagenarian—appear in Healy's great painting of "Webster's reply to Hayne," now in Faneuil Hall, Boston.

We expect in the future to find in this very valuable old book many interesting things to be transferred to these pages, but for the present we only take the following characteristic and very interesting order by General Winfield Scott, who made such a determined effort as the first prohibitionist in the West:

ASST. ADJ. GEN'L'S. OFFICE, FORT ARMSTRONG,  
ROCK ISLAND, August 28, 1832.

Order No. 16.

1. The *cholera* has made its appearance on Rock Island. The two first cases were brought by mistake from Captain Ford's company of United States mounted rangers; one of these died yesterday, the other is convalescent. A second death occurred this morning in the hospital in Fort Armstrong. The man was of the 4th Infantry, and had been some time there under treatment for debility. The

ranger now convalescent was in the same hospital with him for sixteen hours before a cholera hospital could be established outside the camp and fort.

2. It is believed that all these men were of intemperate habits. The ranger who is dead, it is known, generated the disease within him by a fit of intoxication.

3. This disease having appeared among the rangers and on this island, all in commission are called upon to exert themselves to the utmost to stop the spread of the calamity.

4. Sobriety, cleanliness of person, cleanliness of camp and quarters, together with care in the preparation of the men's messes, are the grand preventatives. No neglect under these heads will be overlooked or tolerated.

5. In addition to the foregoing the senior surgeon present recommends the use of flannel shirts, flannel drawers, and woolen stockings; but the commanding general, who has seen much of disease, *knows* that it is *intemperance*, which in the present state of the atmosphere, generates and spreads the calamity, and that when once spread good and temperate men are likely to take the infection.

6. He therefore peremptorily commands that every soldier or ranger that shall be found drunk or sensibly intoxicated after the publication of this order be compelled, as soon as his strength will permit, to dig a grave at a suitable burying place, large enough for his own reception, as such grave cannot fail soon to be wanted for the drunken man himself, or some drunken companion.

7. This order is given, as well to serve for the punishment of *drunkenness*, as to spare good temperate men the labor of digging graves for their worthless companions.

8. The sanitary regulations now in force respecting communications between the camp near the mouth of Rock river and other camps and posts in the neighborhood are revoked. Colonel Eustis, however, whose troops are perfectly free from cholera, will report to the commanding general whether he believes it for the safety of his command that these regulations should be renewed.

By order of MAJOR-GENERAL SCOTT,

P. H. GALT, Assistant Adjutant-General.

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## A PRO SLAVERY LETTER BY JOHN C. CALHOUN.

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Persons born since the great civil war have little idea of the deep feeling which existed for so many years throughout this country, relating to human slavery. Two points especially gave rise to the bitterest acrimony.

These were the claims of the southern people of the right to take their slaves with them into the territories—and hold them there as at home—a right denied by a large majority at the north; and the enforcement of the fugitive slave law, which made every man “a negro catcher,” if his aid were required by a United States Marshal. It was the first of these disturbing questions which brought about conditions of actual war in the Territory of Kansas in the later fifties. About the time Iowa was admitted into the Union there were a few slaves in Dubuque and Des Moines counties, brought north doubtless upon the theory that they could be held in bondage “under the Constitution.” The southern champion of this doctrine was John C. Calhoun, the great statesman of South Carolina, who not only represented his State several times in the United States Senate, but spoke for the entire south upon the slavery question and the “compromises of the Constitution.” He was ready even as early as 1832 to go into rebellion on the issue of the right of a State to nullify the laws of Congress, involving of course the right of a State to secede from the Union whenever it chose so to do. The tariff was the particular bone of contention at that time—the protective system being distasteful to South Carolina. The firmness of President Andrew Jackson “put down the rebellion” for the time being. He is said to have threatened, among other things, that he would appoint that born soldier, General Henry Dodge, of Wisconsin, United States Marshal of South Carolina, under whose iron rule there would have been no doubt of the enforcement of the Federal laws. South Carolina gave up the contest then, but the rebellion broke out in larger proportions upon her soil in 1861, resulting in the greatest civil war known to history. The preposterous claims of the Old South upon the slavery question have seldom been more tersely and clearly set forth than in the following hitherto unpublished letter of Mr. Cal-

houn to Honorable Laurel Summers of Iowa, now in the State Historical Collections:

FORT HILL. (S. C.). 16th Nov. 1848.

DEAR SIR: You are right. Consolidation is shaking this government to its center, and will overthrow it, unless we abandon a loose and latitudinous construction of the constitution, and return to the old and rigid construction, which brought the republican party into power.

You ask me: What right has Congress to compromise the subject of slavery? I answer none at all. That it is a subject that does not fall within its province, except to pass such acts as may aid in carrying out the compromises of the Constitution in reference to it, including the delivering of fugitive slaves, and the apportionment of direct taxes, and of representation in the House of Representatives, and to secure the just equality of the citizens in all places where it has exclusive jurisdiction, and in reference to all subjects falling within its jurisdiction. It can make no discrimination between the citizens of one State and another, on account of their local institutions or from any other cause.

But while I hold that Congress has no power to pass a compromise line or to prohibit the citizens to emigrate with their slaves into the territories of the United States, I at the same time hold, the inhabitants of the territories have no such right, until they are authorized to form a State and to enter the Union as one of its members. The sovereignty over the territories is exclusively in the people of the several States, composing the Union, in their federal character, as such, and it is the greatest absurdity to suppose, that the inhabitants of a territory before they are authorized to form a State, can perform an act that involves the high exercise of sovereign power.

With respect, I am, etc.,

LAUREL SUMMERS, Esq.

J. C. CALHOUN.

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### CHIEF JUSTICE CHARLES MASON.

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As stated elsewhere a superb oil portrait of this illustrious early Iowan, from the easel of Geo. H. Yewell, N. A., was presented to the State—the Supreme Court receiving it for permanent preservation in its chambers—on the 22d day of May last. The remarks of Judges Wright and Kinne contain fitting tributes to Judge Mason's character as a soldier, scholar, citizen, scientist and jurist, placing on record interesting and valuable informa-

tion which was fast fading out of existence. That Judge Mason so early decided that a slave brought into Iowa from that moment became a free man—that he favored the amplest protection of women in the ownership of property—are facts which are now for the first time brought to the notice of this later generation and made matters of permanent record. We are glad to present an excellent portrait of Judge Mason from a photograph of this fine painting, which is believed to be one of Mr. Yewell's best works. A facsimile of the original oath of office sworn and subscribed by Judge Mason, before W. B. Conway, Secretary of Iowa Territory, is also given. This document would seem to be in the hand-writing of Mr. Conway, for such things as blanks for that purpose were not in existence at that time in Iowa Territory.

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### NAMING FIFTY COUNTIES.

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An abstract of an interesting paper read by Hon. P. M. Casady, at the meeting of the Pioneer Law-makers of Iowa, February 15, 1894, giving his recollections of the action of the Legislature of 1850-51 in naming fifty Iowa counties, will be found in this number of THE ANNALS. Mr. Casady was at that time a State Senator, his district comprising the counties of Polk, Dallas, Jasper, Marshall, Story, Boone, Warren and Madison. The bill naming the counties was for the most part considered in committee of the whole, of which action no record appears. It made, when complete, just fifty sections, a county being named and its boundaries defined in each. It was approved on the 15th day of January, 1851, by Governor Stephen Hempstead. The counties of Hamilton, Webster, Calhoun and Woodbury were at that time respectively named, Risley, Yell, Fox and Wahkaw, but changed by



acts of later legislatures. The three northern tiers of townships of the present county of Kossuth bore the name of Bancroft. The territory of Bancroft county was subsequently added to Kossuth. Before this session of the Legislature the naming of counties had proceeded more slowly. But the Legislature of 1850-51 finished the work, so that from that time, with but few changes, the map of Iowa has remained with regard to the names and boundaries of counties much as it appears to-day. Yell was changed to Webster and Risley added to it. At the session of 1856 the territory which had borne the name of Risley was created into a new county and named Hamilton, in honor of Honorable W. W. Hamilton of Dubuque county, who was that winter President of the State Senate, there being at that time no such officer as Lieutenant-Governor. The statement has been occasionally published that this county was so named in honor of Alexander Hamilton. This is an error, as the writer learned not only from Honorable W. W. Hamilton himself, but from other Senators and Representatives in the General Assembly of 1856—the last held in Iowa City. At the date of this publication several gentlemen are still living who were interested in the action of the Legislature upon the bill creating Hamilton county, all of whom understand the matter precisely as we have set it forth.

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#### MAJOR WILLIAM WILLIAMS.

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We are again fortunate in being able to publish an excellent article of permanent interest from the pen of Ex-Governor Carpenter, in his just tribute to the life and public services of Major William Williams, who commanded the Spirit Lake Expedition of 1857. Gradually, after the lapse of thirty-five years, justice is being done to the memory of that heroic band who flew to arms in

such an instantaneous, impromptu manner, on hearing of the barbarous massacre of the settlers. If the reader will stop to consider the points so admirably set forth by Governor Carpenter—that the Expedition was organized in two days—that there were neither law nor regulations for the enlistment and control of the men—that Major Williams, a man of sixty years, was able to enforce discipline and hold them well in hand from first to last, through the exercise of his own high mental qualities—that untold and unimagined hardships from hunger and cold were suffered by all—it will be seen that the commander of that Expedition was not only no ordinary person, but that in his day and generation, he rendered the State “some service” which should ever be held in grateful remembrance. The portrait of “the old Major,” which accompanies this article, is a faithful likeness. Some years ago, Governor Carpenter prepared a paper on the Expedition, going fully into the details of the march and return, for which, from its permanent historical value, we hope to find room in a future number of THE ANNALS.

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### CONCERNING PORTRAITS.

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It will be noticed that some of the portraits which appear from time to time in THE ANNALS are very fine, while others are dull and dingy. This is due to the difference in the copies from which they are made. From a new and excellent photograph there is no difficulty in producing a half-tone plate which prints beautifully, reflecting credit upon the manufacturer and printer; but this is an impossibility when it is copied from a faded photograph or from an ancient daguerreotype. We are ambitious that these portraits shall be the very best in all respects that we are able to obtain—but we are of course compelled to use such originals as may be had in each in-

dividual case. For instance: the portrait of Wm. E. Burkholder, which appears in Governor Carpenter's article on Major Williams, is from a photograph copied from a daguerreotype made forty or more years ago. Three or four years since a photograph was made from this old picture, and this again photographed in the process of making the plate used in this magazine. As a likeness we believe it to be excellent, but we wish it were a far better specimen of printing. This is out of the question when the people who make an engraving have only such ancient and faded originals from which to produce their work.

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### THE LUCAS-CONWAY QUARREL.

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Having occasionally heard of the bitter controversy between Robert Lucas, the first Governor, and W. B. Conway, the first Secretary, of Iowa Territory, we lately asked Honorable Theodore S. Parvin, who was the private Secretary of Governor Lucas, for some facts pertaining to Mr. Conway, with the view of publishing them in these pages. He kindly responded to this request and his letter is presented elsewhere. (See page 221). Mr. Parvin sets forth the subject-matter of the difficulty very clearly. It is little wonder that Governor Lucas—a soldier of the war of 1812, and but recently Governor of Ohio, and a man of National reputation—should have been highly incensed at what was undoubtedly an assumption of authority by the younger man. The case seems to be fairly set forth by Mr. Parvin, and to his letter the reader is referred. It is a matter of regret that a life of our first Territorial Governor, including his public services before he came to Iowa, has not been written. At this time it is very doubtful whether this could be done, owing to the fact that his letters and papers were allowed to be lost or

destroyed. The writer has made many efforts to recover these papers and documents, but so far with little success. His commission as Governor of the Territory is in the Historical Rooms at Iowa City. The Historical Department at the Capitol has secured his commission as Captain in the Regular Army, dated July 23, 1812, and signed by President James Madison, and three of his official letters. Beyond these papers we know of no others in existence, though there may be many in Ohio, dating from before he came to Iowa. It seems a strange neglect that the letters—official and private—with other data, relating to a man who was so distinguished in his time, should have so utterly faded out of existence.

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### CAPTAIN H. I. SMITH.

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An interesting article from the pen of this gentleman appeared in THE ANNALS for January, 1895, detailing some sad army experiences during the War of the Rebellion. He enlisted as a private in Company B, 7th Iowa Infantry, on the 8th day of July, 1861—the first volunteer from Cerro Gordo county. At the expiration of the term of his enlistment, he re-enlisted as a veteran, remaining in the service until the close of the war, participating in the battles of Belmont, Forts Henry and Donelson, Shiloh, Corinth, Iuka, Resaca, Long's Ferry, Kenesaw, Atlanta, Allatoona, Savannah, Columbia, Bentonville, Goldsboro, and many others. He was by the side of General G. M. Dodge, when that illustrious soldier was "almost mortally wounded" before Atlanta. In fact, the General fell across the feet of Sergeant Smith, in a very narrow trench, so wedging him in that it was with some difficulty that the latter could extricate himself. He was himself wounded at Belmont and Corinth. He marched with Sherman "from Atlanta to the Sea," saw the surrender of Johnson's

army at Raleigh, and participated in the closing Grand Review of the Union Armies at Washington. The war over, he returned to his home in Cerro Gordo county, where he has since resided. He was a mere boy when he put on the army blue of a private soldier, and seems even now but in the prime of life. He occupies a high position in the community where he lives, and is well known throughout the State. In August, 1894, the President transmitted to Captain Smith a medal of honor, in the name of the Congress of the United States, for distinguished gallantry at the crossing of Black River, N. C., March 15, 1865, where at the peril of his own life he saved a soldier from drowning. His record all through the war is one of especial brilliancy. He has occasionally published valuable contributions to army and local history.

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### SACS, OR SAUKS.

In the article in this issue of *THE ANNALS* on General J. M. Street, the writer spells the name of this tribe of Indians—"Sacs;" while Dr. Pickard in writing of Indians in Iowa prior to 1846, spells the same word—"Sauks." Both spellings are used, and we choose to leave each writer to his own choice. But the weight of authority seems to be upon the side of the first form. "The Century Dictionary of Names," George Catlin, in his "North American Indians," Drake, in his older work, Judge A. R. Fulton, in his "Red Men of Iowa," and Schoolcraft, in his monumental "History of the Indian Tribes," use the word "Sacs." But McKenny and Hall in their "Indian Tribes of North America," spell it "Sauks." In a later edition of Drake they are noted as equivalent terms. With these leading authorities thus differing, the reader can decide for himself—though the shorter word has been adopted by the great majority of writers.



## LIEUTENANT GEORGE WILSON.

Mr. George Wilson, Jr., of Lexington, Mo., lately sent to the Historical Department, where it is now on exhibition, the sword carried by his father during his military service, which included the Black Hawk War of 1832, together with a large parcel of interesting correspondence. The bulk of the letters are copies from the archives of the War Department and Bureau of Indian Affairs relating to the removal of intruding settlers from the vicinity of the Dubuque Lead Mines, where, at that time they had no right to go. There are two deeds of lands by the United States Government to Lieutenant Wilson, executed by Honorable W. L. Marcy, Secretary of War, an original letter signed by Colonel Zachary Taylor, afterwards the hero of Buena Vista and President of the United States, three letters by Governor John Chambers of Iowa, and others of less importance. Lieutenant Wilson graduated from West Point Military Academy July 1, 1830. He remained in the army till 1837, having been promoted to 1st Lieutenant, when he resigned. He served on frontier duty at Fort Crawford, Wisconsin, at Fort Armstrong, Rock Island, and upon occasional detached service. After his resignation from the army, he became a farmer at Agency City, Wapello county, 1838-40; member of the Territorial Legislature of Wisconsin, 1838-39; Clerk of the United States District Court 1839-40; Adjutant of Iowa Militia 1849-53; Register of the U. S. Land Office, Fairfield, Iowa, 1849-51. In the latter year he removed to Lexington, where he became a banker. He died March 3, 1880, at the age of 71. He was a brother of the late Judge Thomas S. Wilson and Colonel David S. Wilson of Dubuque, and a son-in-law of General J. M. Street, the distinguished Indian Agent. We learn from one of his relatives that he served for a time in the

Confederate army, which would not be a matter of wonder, as he removed from Iowa into slave-holding Missouri, and his early military associations were all southern. His brother, David S. Wilson, was a State Senator, (1858-60), and raised and commanded the Sixth Iowa Cavalry. This was one of the instances in which members of the same family were in arms on each side of the great controversy.

It has been stated that Lieutenant Wilson refused to obey the orders of the War Department to burn the cabins of the settlers at Dubuque, and thus render women and children homeless in the dead of winter, but none of the papers above referred to disclose this fact. They show, however, that he was very soon relieved from command by Lieutenant John J. Abercrombie, who was accompanied by Lieutenant Jefferson Davis. The War Department gave Lieutenant Wilson a furlough of three months, commencing on the 1st of April, 1833, and his son suggests that this may have been "a mild punishment for his disobedience of orders" which he believed to be cruel and inhuman. They also contain a petition of the settlers of Dubuque, signed by about 150 persons, protesting against their threatened removal. Among the petitioners were several who afterwards became prominent residents of the mineral city. These documents contain sufficient data from which an article may some day be prepared on this episode in the early history of Iowa.

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## THE NAMING OF THE CITY OF DAVENPORT.

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The belief has prevailed in this State for more than half a century that the city of Davenport derives its name from Colonel George Davenport, one of its distinguished early settlers, who was well and widely known from early territorial days, until he was cruelly murdered in his own

home by a band of robbers, July 4, 1845. But latterly a claim has been made that it was "named for" Colonel William Davenport, an officer in the regular army who was stationed a short time at old Fort Armstrong, Rock Island. This question was quite fully and very clearly and ably discussed by Mrs. Maria Peck in *The Democrat* of that city, in December last. She took the position that it was unmistakably "named for" Colonel George Davenport, and seems to have established the fact beyond controversy. She is justly indignant that an effort has been made to ignore Colonel George Davenport, an eminent citizen of the State, who was noted for the possession of high personal qualities—a man of large ideas and progressive spirit—and attribute that honor to "a man of shoulder-straps" who "is as much of a myth to us (the people of Davenport) as though he never existed." Her article seems to include all the arguments on both sides of the question, and to leave nothing farther to be said on the subject.

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#### GENERAL SHERMAN AND THE SONG.

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In his splendid collection of War Lyrics the poet, George Cary Eggleston, tells some interesting things about the great General and the song of "Sherman's March to the Sea."

"I talked with General Sherman about this song, not long before his death," says Mr. Eggleston. "It was this poem," said the General, "with its phrase—'the March to the Sea'—that threw a glamor of romance over the campaign which it celebrates. The movement was nothing more than a change of base," continued the General, "an operation perfectly familiar to every military man. But a poet got hold of it, gave it the captivating label, 'The March to the Sea,' and the unmilitary public made a romance out of it."

"In his modesty," says Eggleston, "the General overlooked the important fact that the romance lay in his own deed of daring. The poet merely recorded it, or at most interpreted it to the popular intelligence. The glory of the great campaign was Sherman's and his army's; the joy of celebrating it was the poet's; the admiring memory of it is the people's."

It was something to give a name to a great campaign, a name so romantic that it will go down in history for centuries. When campaigns ten times as bloody as this are completely forgotten, the story of "Sherman's March to the Sea," like the story of Zenophon, will still be taught to school boys. A song, if it strike the right human chord, can embalm great deeds better than a whole volume of history. In fact it becomes history.

General Sherman recognized all this himself, as his words show, and his constant friendship of twenty-five years for Maj. Byers, the author of the verses, indicated something of his gratitude. As a song the verses have ceased to be sung very much—but in the words of a recent magazine writer, the phrase—"The March to the Sea"—has become a household word throughout the land.

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Captain J. C. Johnson, of Webster City, who was frozen to death on the homeward march of the Spirit Lake Expedition, had just before come from Pennsylvania. But little has been learned concerning him, though considerable efforts to that end were made a few years ago. His bones, when found on the prairie twelve years after his death, were sent to his friends, some of whom were then living. William Burkholder, who perished with Captain Johnson, was a brother of Mrs. Governor Carpenter. His remains were buried at Fort Dodge.

GENERAL T. J. CHURCHILL, of the Confederate Army, commanded a division at the battle of Jenkins' Ferry, where General Samuel A. Rice of Iowa received his mortal wound. After reading Major Lacey's article in THE ANNALS for April, 1895, he wrote to the author as follows: "I read your account of the battle with great interest. The Federal Army made a most gallant fight, and the stand that General Rice took saved Steele's Army. I never saw Federals show more heroic courage than they did on that memorable field."

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THE late Judge E. H. Williams of Clayton county, was often witty, and some of his wit was of a rasping, unsparing character. It is related that while he was County Judge of Clayton county, away back in the long ago, an ignorant fellow one day presented a certificate of election as justice of the peace, asking the Judge if he would "qualify" him? The Judge very complacently remarked: "I can administer to you the oath of office, but nothing short of Almighty Power can qualify you for the discharge of its duties!"

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AN IOWA LADY who was at the Chicago Exposition was shown some great guns by a courteous English gentleman. "That," said he, pointing with an air of quiet exultation to a little old six-pounder, "we captured from your folks at Bunker Hill." "Well," responded Mrs. Iowa, "that was all you got! You didn't get the hill!"

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IN order to facilitate the work of the Historical Department later in the season we have deemed it advisable to print the articles prepared for the July and October ANNALS in a double number. Instead of the usual 80 pages we present our readers 168. The next issue will bear the date of January, 1896.



## NOTABLE DEATHS.

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WILLIAM H. HARTMAN, the veteran editor and proprietor of the *Waterloo Courier*, died at his home on the 1st day of July. He was a native of Pennsylvania and came to Iowa in 1850. His first newspaper work was done on *The Anamosa News* the year after his arrival. *The News* was the first paper published in Jones county. In March, 1858, he went to Waterloo and was employed on *The Herald*. Soon after he removed to Cedar Falls and became the publisher of *The Banner*. On the 18th of January, 1859, he issued the first number of *The Waterloo Courier*, and fairly commenced his life-work. He entered upon his new enterprise with a good knowledge of the business, and realized the hard work that would be required for many years to build up a paying newspaper in that small village and sparsely settled county. But he was young, well equipped, and settled down to business with an energy that was sure to bring success. *The Courier* under his management soon took rank among the best conducted and most influential newspapers of Northern Iowa, a position which it held till the day of Mr. Hartman's death. At various times he had associated with him on *The Courier* some of the brightest newspaper men of the State. He has always kept the plant equipped with the best material for turning out a first class paper. He was an untiring worker for whatever would build up Waterloo, and kept his paper at all times fully up to the standard of excellence that the patronage of the city and county would justify. In 1890 he began the publication of a daily edition, which has been successful from the start. He was appointed postmaster of Waterloo by President Grant in 1873 and held the position until Mr. Cleveland became President. He was one of the pioneer editors of northern Iowa, ranking among those longest in the service as journalists.

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LYMAN PARSONS, who was for ten years Treasurer of the State Historical Society at Iowa City, died there at the age of sixty-four, on the 28th of February last. He was a native of Massachusetts and for twenty-six years had been a prominent business man at Iowa City, having been President of the First National Bank of that place since 1883. For ten years he was contractor on the construction of the Rock Island railroad, building the stone work for most of the bridges from Chicago to Council Bluffs. In politics Mr. Parsons was an active republican, but never sought or held a political office. In all respects he was a useful and most estimable citizen. *The Iowa Historical Record* pays a kindly and deserved tribute to his memory, from which we condense the above.

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JOHN M. HAAS, of Iowa City, died there on the 19th of March, at the age of ninety-one. He was born in Germany during the time when Napoleon was leading his victorious armies from one conquest to another in the principal kingdoms of Europe. In 1839 Mr. Haas left his old home and came to America. In 1852 he settled at Iowa City and as the years went by built up a good business and became an influential citizen. In an elegant home surrounded by a profusion of shade and fruit trees, vines and shrubbery, he lived a happy life, reaching extreme old age.

## NEW PUBLICATIONS.

HUGH SCOTT, an Immigrant of 1670 and his descendants, by John Scott. Wouldst thou trust thy name to dumb forgetfulness, or to the rotting graveyard stone? Nay:—rather place it on the pages of the Printed Book. Nevada, Iowa, John Manor Scott, Printer.

This work in genealogy is a neatly printed volume of about 350 pages, illustrated with some 80 engravings—mostly portraits—of which only 300 numbered copies have been published. It was written, or compiled, by Colonel John Scott, who served in Mexico and in the War of the Rebellion, was elected for two terms to our State Senate, 1859–1885, and as Lieutenant-Governor, 1868. The book, says Colonel Scott, “was printed by my grandson, John Manor Scott, on a hand press, two pages only at a single impression.” It is therefore altogether a novelty as a specimen of the book-maker’s art, intended for little if any circulation outside of the descendants of Hugh Scott and the few public libraries to which it may be sent. Colonel Scott frankly says in his preliminary suggestions that he believes “that it contains many errors. His information has come from many sources; statements of alleged facts are in some cases contradictory; in some cases improbable; in some cases impossible.” He also as freely states that “there are many omissions.” But he has done everything in his power—and the effort is a very praiseworthy one—to present in an attractive form, such information as he has been able to obtain during the past twenty years, in regard to Hugh Scott and his now widely scattered descendants. Every intelligent reader will appreciate the difficulties to be encountered in such a task. Ancient records, decaying monuments in neglected cemeteries, old letters, failing memories and other out-of-the-way sources, must be consulted for facts and dates, and the results are too often unprofitable and unsatisfactory. But with all its shortcomings, the book is an interesting and valuable addition to Iowa genealogy and deserves a place in every public library. The title page bears “no date,” but the book is dated elsewhere 1895.

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In the 6th line page 210, for “1895,” read “1865.”







In haste truly Yours  
S. J. Guinard